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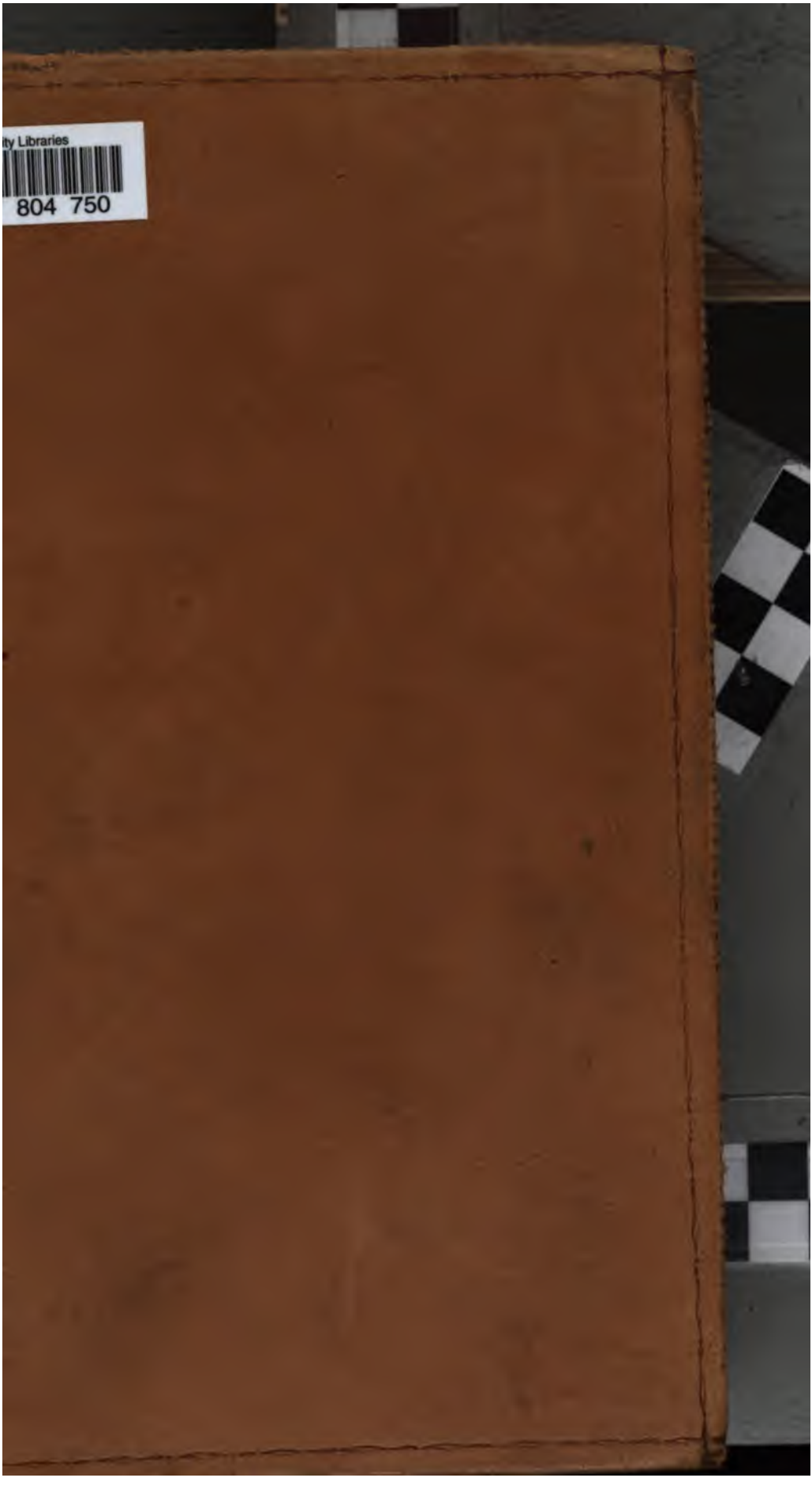
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54TH CONGRESS, 1st Session. } SENATE. { DOCUMENT No. 304.

SENATE MANUAL.

CONTAINING THE

STANDING RULES AND ORDERS

OF

THE UNITED STATES SENATE,

THE CONSTITUTION OF THE UNITED STATES, DECLARATION OF INDEPENDENCE, ARTICLES OF CONFEDERATION, THE ORDINANCE OF 1787, JEFFERSON'S MANUAL, ETC.

REVISED UNDER THE DIRECTION OF THE
SENATE COMMITTEE ON RULES, FIFTY-FOURTH CONGRESS.

[EDITION OF APRIL 14, 1896.]

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STANDING RULES FOR CONDUCTING BUSINESS IN THE SENATE OF THE UNITED STATES.

RULE I.

APPOINTMENT OF A SENATOR TO THE CHAIR.*

1. In the absence of the Vice-President, the Senate shall choose a President *pro tempore.* [Jefferson's Manual, Sec. IX.

2. In the absence of the Vice-President, and pending the election of a President *pro tempore*, the Secretary of the Senate, or in his absence the Chief Clerk, shall perform the duties of the Chair. [Jefferson's Manual, Sec. IX.

3. The President *pro tempore* shall have the right to name in open Senate, or, if absent, in writing, a Senator to perform the duties of the Chair; but such substitution shall not extend beyond an adjournment, except by unanimous consent.

[Jefferson's Manual, Sec. IX.

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*On motion by Mr. Evarts, the Senate resumed the consideration of the resolution relative to the tenure of office of the President *pro tempore;* and having been amended on the motion of Mr. Turpie to read as follows:

Resolved, That it is competent for the Senate to elect a President *pro tempore*, who shall hold the office during the pleasure of the Senate until another is elected, and shall execute the duties thereof during all future absences of the Vice-President until the Senate otherwise order,

After debate, the resolution as amended was agreed to.

[Sen. Jour., March 12, 1890.

RULE II.

OATHS, ETC.

The oaths or affirmations required by the Constitution and prescribed by law shall be taken and subscribed by each Senator, in open Senate, before entering upon his duties. [See page 36.

RULE III.

COMMENCEMENT OF DAILY SESSIONS.

1. The Presiding Officer having taken the chair, and a quorum being present, the Journal of the preceding day shall be read, and any mistake made in the entries corrected. The reading of the Journal shall not be suspended unless by unanimous consent; and when any motion shall be made to amend or correct the same, it shall be deemed a privileged question, and proceeded with until disposed of. [Jefferson's Manual, Secs. VI, XLIX.

2. A quorum shall consist of a majority of the Senators duly chosen and sworn. [Jefferson's Manual, Sec. VI.

RULE IV.

JOURNAL.

1. The proceedings of the Senate shall be briefly and accurately stated on the Journal. Messages of the President in full; titles of bills and joint resolutions, and such parts as shall be affected by proposed amendments; every vote, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, shall be entered.

[Jefferson's Manual, Sec. XLIX.

2. The legislative, the executive, the confidential legislative proceedings, and the proceedings when sitting as a Court of Impeachment, shall each be recorded in a separate book.

[Jefferson's Manual, Sec. XLIX.

RULE V.

QUORUM—ABSENT SENATORS MAY BE SENT FOR.

1. No Senator shall absent himself from the service of the Senate without leave. [Jefferson's Manual, Sec. VIII.

2. If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate. [Jefferson's Manual, Sec. VII.

3. Whenever upon such roll call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant-at-Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order.

[Jefferson's Manual, Secs. VII, VIII.

RULE VI.

PRESENTATION OF CREDENTIALS.

1. The presentation of the credentials of Senators elect and other questions of privilege shall always be in order, except during the reading and correction of the Journal, while a question of order or a motion to adjourn is pending, or while the

Senate is dividing; and all questions and motions arising or made upon the presentation of such credentials shall be proceeded with until disposed of.

2. The Secretary shall keep a record of the certificates of election of Senators by entering in a well-bound book kept for that purpose the date of the election, the name of the person elected and the vote given at the election, the date of the certificate, the name of the governor and the secretary of state signing and countersigning the same, and the State from which such Senator is elected.

RULE VII.

MORNING BUSINESS.

1. After the Journal is read, the Presiding Officer shall lay before the Senate messages from the President, reports and communications from the heads of Departments, and other communications addressed to the Senate, and such bills, joint resolutions, and other messages from the House of Representatives as may remain upon his table from any previous day's session undisposed of. The Presiding Officer shall then call for, in the following order:

The presentation of petitions and memorials.

Reports of standing and select committees.

The introduction of bills and joint resolutions.

Concurrent and other resolutions.

All of which shall be received and disposed of in such order, unless unanimous consent shall be otherwise given.

[Jefferson's Manual, Sec. XIV.

2. Until the morning business shall have been concluded, and so announced from the Chair, or until the hour of 1 o'clock

has arrived, no motion to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the Calendar shall be entertained by the Presiding Officer, unless by unanimous consent; and if such consent be given the motion shall not be subject to amendment, and shall be decided without debate upon the merits of the subject proposed to be taken up. [Jefferson's Manual, Sec. XIV.

3. Every petition or memorial shall be referred, without putting the question, unless objection to such reference is made; in which case all motions for the reception or reference of such petition, memorial, or other paper shall be put in the order in which the same shall be made, and shall not be open to amendment, except to add instructions. [Jefferson's Manual, Sec. XIX.

4. Every petition or memorial shall be signed by the petitioner or memorialist and have indorsed thereon a brief statement of its contents, and shall be presented and referred without debate. But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received, unless the same be transmitted to the Senate by the President.*

[Jefferson's Manual, Sec. XIX.

5. The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate, any bill or other matter sent to the Senate by the President or the House of Representatives, and any question pending at that time shall be suspended for this purpose. Any motion so made shall be determined without debate.

[Jefferson's Manual, Sec. XIV.

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* *Ordered*, That when petitions and memorials are ordered printed in the Congressional Record the order shall be deemed to apply to the body of the petition only, and the names attached to said petition or memorial shall not be printed unless specially ordered by the Senate.

[Sen. Jour., 49th Cong., 2d sess., p. 280.

RULE VIII.

ORDER OF BUSINESS.

At the conclusion of the morning business for each day, unless upon motion the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the Calendar of Bills and Resolutions, and continue such consideration until 2 o'clock; * and bills and resolutions that are not objected to shall be taken up in their order, and each Senator shall be entitled to speak once and for five minutes only upon any question; and the objection may be interposed at any stage of the proceedings, but upon motion the Senate may continue such consideration; and this order shall commence immediately after the call for "concurrent and other resolutions," and shall take precedence of the unfinished business and other special orders. But if the Senate shall proceed with the consideration of any matter notwithstanding an objection, the foregoing provisions touching debate shall not apply. [Jefferson's Manual, Sec. XIV.

All motions made before 2 o'clock to proceed to the consideration of any matter shall be determined without debate.

[Jefferson's Manual, Sec. XIV.

RULE IX.

ORDER OF BUSINESS (CONTINUED).

Immediately after the consideration of cases not objected to upon the Calendar is completed, and not later than 2 o'clock, if there shall be no special orders for that time, the Calendar of

*Resolution submitted by Mr. Hoar and adopted August 10, 1888:

Resolved, That after to-day, unless otherwise ordered, the morning hour shall terminate at the expiration of two hours after the meeting of the Senate.

General Orders shall be taken up and proceeded with in its order, beginning with the first subject on the Calendar next after the last subject disposed of in proceeding with the Calendar; and in such case the following motions shall be in order at any time as privileged motions, save as against a motion to adjourn, or to proceed to the consideration of executive business, or questions of privilege, to wit:

First. A motion to proceed to the consideration of an appropriation or revenue bill.

Second. A motion to proceed to the consideration of any other bill on the Calendar, which motion shall not be open to amendment.

Third. A motion to pass over the pending subject, which if carried shall have the effect to leave such subject without prejudice in its place on the Calendar.

Fourth. A motion to place such subject at the foot of the Calendar.

Each of the foregoing motions shall be decided without debate and shall have precedence in the order above named, and may be submitted as in the nature and with all the rights of questions of order. [Jefferson's Manual, Secs. XIV, XXXIII.

RULE X.

SPECIAL ORDERS.

1. Any subject may, by a vote of two-thirds of the Senators present, be made a special order; and when the time so fixed for its consideration arrives the Presiding Officer shall lay it before the Senate, unless there be unfinished business of the preceding day, and if it is not finally diposed of on that day it shall take

its place on the Calendar of Special Orders in the order of time at which it was made special, unless it shall become by adjournment the unfinished business. [Jefferson's Manual, Secs. XVIII, XXXIII.

2. When two or more special orders have been made for the same time, they shall have precedence according to the order in which they were severally assigned, and that order shall only be changed by direction of the Senate.

And all motions to change such order, or to proceed to the consideration of other business, shall be decided without debate.

[Jefferson's Manual, Secs. XVIII, XXXIII.

RULE XI.

OBJECTION TO READING A PAPER.

When the reading of a paper is called for, and objected to, it shall be determined by a vote of the Senate, without debate.

[Jefferson's Manual, Sec. XXXII.

RULE XII.

VOTING, ETC.

1. When the yeas and nays are ordered, the names of Senators shall be called alphabetically; and each Senator shall, without debate, declare his assent or dissent to the question, unless excused by the Senate; and no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, but may for sufficient reasons, with unanimous consent, change or withdraw his vote. No motion to suspend this rule shall be in order, nor shall the Presiding Officer entertain any request to suspend it by unanimous consent.

[Jefferson's Manual, Sec. XLI.

2. When a Senator declines to vote on call of his name, he

shall be required to assign his reasons therefor, and having assigned them, the Presiding Officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate; and these proceedings shall be had after the roll call and before the result is announced; and any further proceedings in reference thereto shall be after such announcement.

[Jefferson's Manual, Secs. XVII, XLI.

RULE XIII.

RECONSIDERATION.

1. When a question has been decided by the Senate, any Senator voting with the prevailing side may, on the same day or on either of the next two days of actual session thereafter, move a reconsideration; and if the Senate shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent. Every motion to reconsider shall be decided by a majority vote, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion.

[Jefferson's Manual, Sec. XLIII.

2. When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

[Jefferson's Manual, Sec. XLIII.

RULE XIV.

BILLS, JOINT RESOLUTIONS, AND RESOLUTIONS.

1. Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for one day.

[Jefferson's Manual, Sec. XXIII.

2. Every bill and joint resolution shall receive three readings previous to its passage, which readings shall be on three different days, unless the Senate unanimously direct otherwise; and the Presiding Officer shall give notice at each reading whether it be the first, second, or third. [Jefferson's Manual, Sec. XXII.

3. No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee; bills and joint resolutions introduced on leave, and bills and joint resolutions from the House of Representatives, shall be read once, and may be read twice, on the same day, if not objected to, for reference, but shall not be considered on that day as in Committee of the Whole, nor debated, except for reference, unless by unanimous consent.

[Jefferson's Manual, Sec. XXV.

4. Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed on the Calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the Calendar. [Jefferson's Manual, Sec. XXV.

5. All resolutions shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

[Jefferson's Manual, Sec. XXV.

RULE XV.

BILLS—COMMITTEE OF THE WHOLE.

1. All bills and joint resolutions which shall have received two readings shall first be considered by the Senate as in Committee of the Whole, after which they shall be reported to the Senate; and any amendments made in Committee of the Whole shall again be considered by the Senate, after which further amendments may be proposed. [Jefferson's Manual, Secs. XXVI, XXX.

2. When a bill or resolution shall have been ordered to be read a third time, it shall not be in order to propose amendments, unless by unanimous consent, but it shall be in order at any time before the passage of any bill or resolution to move its commitment; and when the bill or resolution shall again be reported from the committee it shall be placed on the Calendar, and when again considered by the Senate it shall be as in Committee of the Whole. [Jefferson's Manual, Secs. XXVI, XXX.

3. Whenever a private bill is under consideration, it shall be in order to move, as a substitute for it, a resolution of the Senate referring the case to the Court of Claims, under the provisions of the act approved March 3, 1883.

RULE XVI.

AMENDMENTS TO APPROPRIATION BILLS.

1. All general appropriation bills shall be referred to the Committee on Appropriations, except bills making appropriations for rivers and harbors, which shall be referred to the Committee on Commerce; and no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the

provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the Departments.

[Jefferson's Manual, Sec. XXXV.

2. All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill, or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations, and when actually proposed to the bill no amendment proposing to increase the amount stated in such amendment shall be received; in like manner, amendments proposing new items of appropriation to river and harbor bills shall, before being considered, be referred to the Committee on Commerce; also amendments to bills establishing post-roads, or proposing new post-roads, shall, before being considered, be referred to the Committee on Post-Offices and Post-Roads.

[Jefferson's Manual, Sec. XXXV.

3. No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject-matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto; and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate; and any amendment to a general appropriation bill may be laid on the table without prejudice to the bill. [Jefferson's Manual, Sec. XXXV.

4. No amendment, the object of which is to provide for a

private claim, shall be received to any general appropriation bill, unless it be to carry out the provisions of an existing law or a treaty stipulation, which shall be cited on the face of the amendment. [Jefferson's Manual, Sec. XXXV.

RULE XVII.

AMENDMENT MAY BE LAID ON THE TABLE WITHOUT PREJUDICE TO THE BILL.

When an amendment proposed to any pending measure is laid on the table, it shall not carry with it, or prejudice, such measure.

RULE XVIII.

AMENDMENTS—DIVISION OF A QUESTION.

If the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert, which shall not be divided; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition; nor shall it prevent a motion simply to strike out; nor shall the rejection of a motion to strike out prevent a motion to strike out and insert. But pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded for the purpose of amendment as a question; and motions to amend the part to be stricken out shall have precedence. [Jefferson's Manual, Secs. XXXV, XXXVI.

RULE XIX.

DEBATE.

1. When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall

first address him. No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the Presiding Officer; and no Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate, which shall be determined without debate. [Jefferson's Manual, Secs. XVII, XXXIX.

2. If any Senator, in speaking or otherwise, transgress the rules of the Senate, the Presiding Officer shall, or any Senator may, call him to order; and when a Senator shall be called to order he shall sit down, and not proceed without leave of the Senate, which, if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate. [Jefferson's Manual, Sec. XVII.

3. If a Senator be called to order for words spoken in debate, upon the demand of the Senator or of any other Senator the exceptionable words shall be taken down in writing, and read at the table for the information of the Senate.

[Jefferson's Manual, Sec. XVII.

RULE XX.

QUESTIONS OF ORDER.

1. A question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and every appeal therefrom shall be decided at once, and without debate; and any appeal may be laid on the table without prejudice to the pending propo-

sition, and thereupon shall be held as affirming the decision of the Presiding Officer. [Jefferson's Manual, Sec. XXXIII.

2. The Presiding Officer may submit any question of order for the decision of the Senate. [Jefferson's Manual, Sec. XXXIII.

RULE XXI.

MOTIONS.

1. All motions shall be reduced to writing, if desired by the Presiding Officer or by any Senator, and shall be read before the same shall be debated. [Jefferson's Manual, Sec. XX.

2. Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave. [Jefferson's Manual, Sec. XX.

RULE XXII.

PRECEDENCE OF MOTIONS.

When a question is pending, no motion shall be received but —

To adjourn.

To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

To take a recess.

To proceed to the consideration of executive business.

To lay on the table.

To postpone indefinitely.

To postpone to a day certain.

To commit.

To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a

recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

[Jefferson's Manual, Sec. XXXIII.

RULE XXIII.

PREAMBLES.

When a bill or resolution is accompanied by a preamble, the question shall first be put on the bill or resolution and then on the preamble, which may be withdrawn by a mover before an amendment of the same, or ordering of the yeas and nays; or it may be laid on the table without prejudice to the bill or resolution, and shall be a final disposition of such preamble.

[Jefferson's Manual, Sec. XXVI.

RULE XXIV.

APPOINTMENT OF COMMITTEES.

1. In the appointment of the standing committees, the Senate, unless otherwise ordered, shall proceed by ballot to appoint severally the chairman of each committee, and then, by one ballot, the other members necessary to complete the same. A majority of the whole number of votes given shall be necessary to the choice of a chairman of a standing committee, but a plurality of votes shall elect the other members thereof. All other committees shall be appointed by ballot, unless otherwise ordered, and a plurality of votes shall appoint. [Jefferson's Manual, Sec. XI.

2. When a chairman of a committee shall resign or cease to serve on a committee, and the Presiding Officer be authorized by the Senate to fill the vacancy in such committee, unless specially otherwise ordered, it shall be only to fill up the number on the committee.

RULE XXV.

STANDING COMMITTEES.

1. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

A Committee on Agriculture and Forestry, to consist of nine Senators.

A Committee on Appropriations, to consist of thirteen Senators.

A Committee to Audit and Control the Contingent Expenses of the Senate, to consist of three Senators, to which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same.

A Committee on the Census, to consist of nine Senators.

A Committee on Civil Service and Retrenchment, to consist of nine Senators.

A Committee on Claims, to consist of eleven Senators.

A Committee on Coast Defenses, to consist of eleven Senators.

A Committee on Commerce, to consist of fifteen Senators.

A Committee on Corporations Organized in the District of Columbia, to consist of five Senators.

A Committee on the District of Columbia, to consist of thirteen Senators.

A Committee on Education and Labor, to consist of nine Senators.

A Committee on Engrossed Bills, to consist of three Senators, which shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate.

A Committee on Enrolled Bills, to consist of three Senators, which shall have power to act jointly with the same committee of the House of Representatives, and which, or some one of which, shall examine all bills or joint resolutions which shall have passed both Houses, to see that the same are correctly enrolled, and, when signed by the Speaker of the House and President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States in person, and report the fact and date of such presentation to the Senate.

A Committee to Examine the Several Branches of the Civil Service, to consist of five Senators.

A Committee on Finance, to consist of thirteen Senators.

A Committee on Fisheries, to consist of nine Senators, to which shall be referred all matters relating to fish and fisheries.

A Committee on Foreign Relations, to consist of eleven Senators.

A Committee on Forest Reservations and the Protection of Game, to consist of seven Senators.

A Committee on Immigration, to consist of eleven Senators.

A Committee on the Improvement of the Mississippi River and its Tributaries, to consist of seven Senators.

A Committee on Indian Affairs, to consist of twelve Senators.

A Committee on Indian Depredations, to consist of eleven Senators.

A Committee on Interstate Commerce, to consist of eleven Senators.

A Committee on Irrigation and Reclamation of Arid Lands, to consist of nine Senators.

A Committee on the Judiciary, to consist of thirteen Senators.

A Committee on the Library, to consist of three Senators, which shall have power to act jointly with the same committee of the House of Representatives.

A Committee on Manufactures, to consist of five Senators.

A Committee on Military Affairs, to consist of eleven Senators.

A Committee on Mines and Mining, to consist of nine Senators.

A Committee on Naval Affairs, to consist of eleven Senators.

A Committee on Organization, Conduct, and Expenditures of the Executive Departments, to consist of nine Senators.

A Committee on Pacific Railroads, to consist of nine Senators.

A Committee on Patents, to consist of seven Senators.

A Committee on Pensions, to consist of thirteen Senators.

A Committee on Post-Offices and Post-Roads, to consist of ten Senators.

A Committee on Printing, to consist of three Senators, which shall have power to act jointly with the same committee of the House of Representatives.

A Committee on Private Land Claims, to consist of seven Senators.

A Committee on Privileges and Elections, to consist of nine Senators.

A Committee on Public Buildings and Grounds, to consist of eleven Senators, which shall have power to act jointly with the same committee of the House of Representatives.

A Committee on Public Health and National Quarantine, to consist of seven Senators.

A Committee on Public Lands, to consist of eleven Senators.

A Committee on Railroads, to consist of eleven Senators.

A Committee on Relations with Canada, to consist of nine Senators.

A Committee on the Revision of the Laws of the United States, to consist of five Senators.

A Committee on Revolutionary Claims, to consist of five Senators.

A Committee on Rules, to consist of seven Senators.

A Committee on Territories, to consist of eleven Senators.

A Committee on Transportation Routes to the Seaboard, to consist of nine Senators.

A Committee to establish the University of the United States, to consist of nine Senators.

2. The Committee to Audit and Control the Contingent Expenses of the Senate, on Printing, and on the Library shall continue and have power to act until their successors are appointed. [Jefferson's Manual, Sec. XI.

NOTE.—

SELECT COMMITTEES.

To Investigate the Condition of the Potomac River Front at Washington, to consist of six Senators.

On the Construction of the Nicaragua Canal, to consist of seven Senators.

On Woman Suffrage, to consist of five Senators.

On Additional Accommodations for the Library of Congress, to consist of five Senators.

On Transportation and Sale of Meat Products, to consist of five Senators.

On the Five Civilized Tribes of Indians, to consist of five Senators.

On International Expositions, to consist of thirteen Senators.

On the Geological Survey, to consist of five Senators.

On National Banks, to consist of five Senators.

To Investigate Trespassers upon Indian Lands, to consist of three Senators.

RULE XXVI.

REFERENCE TO COMMITTEES; MOTIONS TO DISCHARGE, AND REPORTS OF COMMITTEES TO LIE OVER.

1. When motions are made for reference of a subject to a select committee, or to a standing committee, the question of reference to a standing committee shall be put first; and a motion simply to refer shall not be open to amendment, except to add instructions. [Jefferson's Manual, Secs. XXVI, XXXIII.

2. All reports of committees and motions to discharge a committee from the consideration of the subject, and all subjects from which a committee shall be discharged, shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct. [Jefferson's Manual, Secs. XXVII, XLIII.

RULE XXVII.

REPORTS OF CONFERENCE COMMITTEES.

The presentation of reports of committees of conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing; and when received, the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

[Jefferson's Manual, Sec. XLVI.

RULE XXVIII.

MESSAGES.

1. Messages from the President of the United States or from the House of Representatives may be received at any stage of proceedings, except while the Senate is dividing, or while the

Journal is being read, or while a question of order or a motion to adjourn is pending. [Jefferson's Manual, Sec. XLVII.

2. Messages shall be sent to the House of Representatives by the Secretary, who shall previously certify the determination of the Senate upon all bills, joint resolutions, and other resolutions which may be communicated to the House, or in which its concurrence may be requested; and the Secretary shall also certify and deliver to the President of the United States all resolutions and other communications which may be directed to him by the Senate. [Jefferson's Manual, Sec. XLVII.

RULE XXIX.

PRINTING OF PAPERS, ETC.

1. Every motion to print documents, reports, and other matter transmitted by either of the Executive Departments, or to print memorials, petitions, accompanying documents, or any other paper, except bills of the Senate or House of Representatives, resolutions submitted by a Senator, communications from the legislatures or conventions, lawfully called, of the respective States, and motions to print by order of the standing or select committees of the Senate, shall, unless the Senate otherwise order, be referred to the Committee on Printing. When a motion is made to commit with instructions, it shall be in order to add thereto a motion to print.

2. Motions to print additional numbers shall also be referred to the Committee on Printing; and when the committee shall report favorably, the report shall be accompanied by an estimate of the probable cost thereof; and when the cost of printing such additional numbers shall exceed the sum of five hundred dollars, the concurrence of the House of Representatives shall be necessary for an order to print the same.

3. Every bill and joint resolution introduced on leave or reported from a committee, and all bills and joint resolutions received from the House of Representatives, and all reports of committees, shall be printed, unless, for the dispatch of the business of the Senate, such printing may be dispensed with.

RULE XXX.

WITHDRAWAL OF PAPERS.

1. No memorial or other paper presented to the Senate, except original treaties finally acted upon, shall be withdrawn from its files except by order of the Senate. But when an act may pass for the settlement of any private claim, the Secretary is authorized to transmit to the officer charged with the settlement the papers on file relating to the claim.

2. No memorial or other paper upon which an adverse report has been made shall be withdrawn from the files of the Senate unless copies thereof shall be left in the office of the Secretary.

[Jefferson's Manual, Sec. XVI.

RULE XXXI.

REFERENCE OF CLAIMS ADVERSELY REPORTED.

Whenever a committee of the Senate, to whom any claim has been referred, reports adversely, and the report is agreed to it, shall not be in order to move to take the papers from the files for the purpose of referring them at a subsequent session, unless the claimant shall present a petition therefor, stating that new evidence has been discovered since the report, and setting forth the substance of such new evidence. But when there has been no adverse report it shall be the duty of the Secretary to

transmit all such papers to the committee in which such claims are pending.

RULE XXXII.

BUSINESS CONTINUED FROM SESSION TO SESSION.

At the second or any subsequent session of a Congress, the legislative business of the Senate which remained undetermined at the close of the next preceding session of that Congress shall be resumed and proceeded with in the same manner as if no adjournment of the Senate had taken place; and all papers referred to committees and not reported upon at the close of a session of Congress shall be returned to the office of the Secretary of the Senate, and be retained by him until the next succeeding session of that Congress, when they shall be returned to the several committees to which they had previously been referred. [Jefferson's Manual, Sec. LI.

RULE XXXIII.

PRIVILEGE OF THE FLOOR.

No person shall be admitted to the floor of the Senate while in session, except as follows:

The President of the United States and his private secretary.

The President elect and Vice-President elect of the United States.

Ex-Presidents and ex-Vice-Presidents of the United States.

Judges of the Supreme Court.

Ex-Senators and Senators elect.

The officers and employees of the Senate in the discharge of their official duties.

Ex-Secretaries and ex-Sergeants-at-Arms of the Senate.

Members of the House of Representatives and Members elect.

Ex-Speakers of the House of Representatives.

The Sergeant-at-Arms and his chief deputy and the Clerk of the House of Representatives and his deputy.

Heads of the Executive Departments.

Ambassadors and Ministers of the United States.

Governors of States and Territories.

The General Commanding the Army.

The Senior Admiral of the Navy on the active list.

Members of National Legislatures of foreign countries.

Judges of the Court of Claims.

Commissioners of the District of Columbia.

The Librarian of Congress and the Assistant Librarian in charge of the Law Library.

The Architect of the Capitol.

The Secretary of the Smithsonian Institution.

Clerks to Senate committees and clerks to Senators when in the actual discharge of their official duties. Clerks to Senators, to be admitted to the floor, must be regularly appointed and borne upon the rolls of the Secretary of the Senate as such.

RULE XXXIV.

REGULATION OF THE SENATE WING OF THE CAPITOL.

1. The Senate Chamber shall not be granted for any other purpose than for the use of the Senate.

2. It shall be the duty of the Committee on Rules to make all rules and regulations respecting such parts of the Capitol, its passages and galleries, including the restaurant, as are or

may be set apart for the use of the Senate and its officers, to be enforced under the direction of the Presiding Officer. They shall, at the opening of each session of Congress, make such regulations respecting the reporters' gallery of the Senate as will confine its occupation to bona fide reporters for daily newspapers, assigning not to exceed one seat to each paper.

RULE XXXV.

SESSION WITH CLOSED DOORS.

On a motion made and seconded to close the doors of the Senate, on the discussion of any business which may, in the opinion of a Senator, require secrecy, the Presiding Officer shall direct the galleries to be cleared; and during the discussion of such motion the doors shall remain closed.

[Jefferson's Manual, Sec. XVIII.

RULE XXXVI.

EXECUTIVE SESSIONS.

1. When the President of the United States shall meet the Senate in the Senate Chamber for the consideration of Executive business, he shall have a seat on the right of the Presiding Officer. When the Senate shall be convened by the President of the United States to any other place, the Presiding Officer of the Senate and the Senators shall attend at the place appointed, with the necessary officers of the Senate.

2. When acting upon confidential or Executive business, unless the same shall be considered in open Executive session, the Senate Chamber shall be cleared of all persons except the Secretary, the Chief Clerk, the Principal Legislative Clerk, the

Executive Clerk, the Minute and Journal Clerk, the Sergeant-at-Arms, the Assistant Doorkeeper, and such other officers as the Presiding Officer shall think necessary; and all such officers shall be sworn to secrecy.

*3. All confidential communications made by the President of the United States to the Senate shall be by the Senators and the officers of the Senate kept secret; and all treaties which may be laid before the Senate, and all remarks, votes, and proceedings thereon shall also be kept secret, until the Senate shall, by their resolution, take off the injunction of secrecy, or unless the same shall be considered in open Executive session.

[Jefferson's Manual, Sec. LII.

4. Any Senator or officer of the Senate who shall disclose the secret or confidential business or proceedings of the Senate shall be liable, if a Senator, to suffer expulsion from the body; and if an officer, to dismissal from the service of the Senate, and to punishment for contempt.

RULE XXXVII.

EXECUTIVE SESSION—PROCEEDINGS ON TREATIES.

1. When a treaty shall be laid before the Senate for ratification, it shall be read a first time; and no motion in respect to it shall

*In Executive session, March 21, 1885:

Ordered, That the injunction of secrecy be removed from the following report from the Committee on Rules, viz:

The Committee on Rules, to which was referred a question of order raised by the Senator from Maine (Mr. Frye) as to the operation of clause 3, Rule XXXVI, reported that it extends the injunction of secrecy to each step in the consideration of treaties, including the fact of ratification; that no modification of this clause of the rules ought to be made; that the secrecy as to the fact of ratification of a treaty may be of the utmost importance, and ought not to be removed except by order of the Senate, or until it has been made public by proclamation by the President.

be in order, except to refer it to a committee, to print it in confidence for the use of the Senate, to remove the injunction of secrecy, or to consider it in open Executive session.

When a treaty is reported from a committee with or without amendment, it shall, unless the Senate unanimously otherwise direct, lie one day for consideration; after which it may be read a second time and considered as in Committee of the Whole, when it shall be proceeded with by articles, and the amendments reported by the committee shall be first acted upon, after which other amendments may be proposed; and when through with, the proceedings had as in Committee of the Whole shall be reported to the Senate, when the question shall be, if the treaty be amended, "Will the Senate concur in the amendments made in Committee of the Whole?" And the amendments may be taken separately, or in gross, if no Senator shall object; after which new amendments may be proposed. At any stage of such proceedings the Senate may remove the injunction of secrecy from the treaty, or proceed with its consideration in open Executive session.

The decisions thus made shall be reduced to the form of a resolution of ratification, with or without amendments, as the case may be, which shall be proposed on a subsequent day, unless, by unanimous consent, the Senate determine otherwise; at which stage no amendment shall be received, unless by unanimous consent.

On the final question to advise and consent to the ratification in the form agreed to, the concurrence of two-thirds of the Senators present shall be necessary to determine it in the affirmative; but all other motions and questions upon a treaty shall be decided by a majority vote, except a motion to postpone indefinitely, which shall be decided by a vote of two-thirds,

2. Treaties transmitted by the President to the Senate for ratification shall be resumed at the second or any subsequent session of the same Congress at the stage in which they were left at the final adjournment of the session at which they were transmitted; but all proceedings on treaties shall terminate with the Congress, and they shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon.

3. All treaties concluded with Indian tribes shall be considered and acted upon by the Senate in its open or legislative session, unless the same shall be transmitted by the President to the Senate in confidence, in which case they shall be acted upon with closed doors. [Jefferson's Manual, Sec. LII.

RULE XXXVIII.

EXECUTIVE SESSION—PROCEEDINGS ON NOMINATIONS.

1. When nominations shall be made by the President of the United States to the Senate, they shall, unless otherwise ordered, be referred to appropriate committees; and the final question on every nomination shall be, "Will the Senate advise and consent to this nomination?" which question shall not be put on the same day on which the nomination is received, nor on the day on which it may be reported by a committee, unless by unanimous consent.

2. All information communicated or remarks made by a Senator when acting upon nominations, concerning the character or qualifications of the person nominated, also all votes upon any nomination, shall be kept secret. If, however, charges shall be made against a person nominated, the

committee may, in its discretion, notify such nominee thereof, but the name of the person making such charges shall not be disclosed. The fact that a nomination has been made, or that it has been confirmed or rejected, shall not be regarded as a secret.

3. When a nomination is confirmed or rejected, any Senator voting in the majority may move for a reconsideration on the same day on which the vote was taken, or on either of the next two days of actual Executive session of the Senate; but if a notification of the confirmation or rejection of a nomination shall have been sent to the President before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the President to return such notification to the Senate. Any motion to reconsider the vote on a nomination may be laid on the table without prejudice to the nomination, and shall be a final disposition of such motion.

4. Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending, unless otherwise ordered by the Senate.

5. When the Senate shall adjourn or take a recess for more than thirty days, all motions to reconsider a vote upon a nomination which has been confirmed or rejected by the Senate, which shall be pending at the time of taking such adjournment or recess, shall fall; and the Secretary shall return all such nominations to the President as confirmed or rejected by the Senate, as the case may be.

6. Nominations neither confirmed nor rejected during the session at which they are made shall not be acted upon at any

succeeding session without being again made to the Senate by the President; and if the Senate shall adjourn or take a recess for more than thirty days, all nominations pending and not finally acted upon at the time of taking such adjournment or recess shall be returned by the Secretary to the President, and shall not again be considered unless they shall again be made to the Senate by the President.

RULE XXXIX.

THE PRESIDENT FURNISHED WITH COPIES OF RECORDS OF EXECUTIVE SESSIONS.

The President of the United States shall, from time to time, be furnished with an authenticated transcript of the Executive records of the Senate, but no further extract from the Executive Journal shall be furnished by the Secretary, except by special order of the Senate; and no paper, except original treaties transmitted to the Senate by the President of the United States, and finally acted upon by the Senate, shall be delivered from the office of the Secretary without an order of the Senate for that purpose.

RULE XL.

SUSPENSION AND AMENDMENT OF THE RULES.

No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof. Any rule may be suspended without notice by the unanimous consent of the Senate, except as otherwise provided in clause 1, Rule XII.

OATHS REQUIRED BY THE CONSTITUTION AND BY LAW TO BE TAKEN UNDER RULE II.

BY SENATORS.

I, A B, do solemnly swear (or affirm) that I will support the Constitution of the United States. [June 1, 1789, 1 Stat., 23.

I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.

[July 11, 1868, 15 Stat., 85.

BY THE SECRETARY.

I, A B, do solemnly swear (or affirm) that I will support the Constitution of the United States.

And in addition to the foregoing he will also take the following:

I, A B, Secretary of the Senate of the United States of America, do solemnly swear (or affirm) that I will truly and faithfully discharge the duties of my said office, to the best of my knowledge and abilities, [June 1, 1789, 1 Stat., 23.

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To proceed to the consideration of, a privileged motion.	9	–	10
Amendments to. No amendment shall be received which shall increase the appropriation, unless to carry out some existing law or resolution of the Senate, or by direction of a standing or select committee, or in pursuance of an estimate of the head of a Department.	16	1	15
All amendments proposing to increase an appropriation shall one day previous to being offered be referred to the Committee on Appropriations	16	2	16
No amendment shall be proposed to an amendment increasing the amount in such amendment	16	2	16
Amendments moved by direction of a committee shall be first referred to the Committee on Appropriations	16	2	16
No amendment proposing general legislation, or that is not germane or relevant to the subject of the bill, shall be received	16	3	16
No amendment to any item or clause that does not directly relate thereto shall be received	16	3	16
All questions of relevancy of amendments shall be decided by the Senate without debate	16	3	16
No amendment providing for a private claim, unless to carry out a law or treaty stipulation, shall be received.	16	4	16
Any amendment to a general appropriation bill may be laid on the table	16	3	16
General legislation to general appropriation bills. No amendment shall be admitted proposing	16	3	16
General orders. (See *Calendar.*)			
Germane. No amendment to any appropriation bill shall be offered which is not relevant or	16	3	16

I.

Impeachment, court of. Proceedings recorded	4	2	7
Indefinite postponement. When a question is pending, a motion may be made for	22	–	19
Indian treaties shall, unless transmitted by the President in confidence, be acted upon in legislative session	37	3	33
Injunction of secrecy. All confidential communications from the President, and all treaties, and remarks and proceedings thereon, are embraced within the	36	3	31

	Rule.	Clause.	Page.
Injunction of secrecy. All information given or remarks made by a Senator touching the character or qualifications of a nominee, and all votes on a nomination, are within the	38	2	33
A person nominated may be notified of charges made against him, but the name of the person making them shall not be disclosed	38	2	33
A Senator disclosing the confidential or secret business of the Senate shall be liable to expulsion	36	4	31
An officer of the Senate committing a like offense shall be dismissed and punished for contempt	36	4	31

J.

Journal. A quorum being present, the Journal of the previous day's session shall be read, and any mistake in the entries corrected	3	1	6
The reading of the, shall not be suspended unless by unanimous consent	3	1	6
A motion to amend the Journal shall be deemed a privileged question and be proceeded with until disposed of.	3	1	6
The proceedings of the Senate shall be briefly and accurately stated on the	4	1	6
Every vote of the Senate, and a brief statement of each memorial or paper presented, shall be entered on the	4	1	6
The legislative, executive, and impeachment proceedings of the Senate shall be each recorded in a separate	4	2	7

L.

Laid on the table. The preamble to a bill or resolution may, without carrying the bill or resolution, be	23	–	20
A motion to reconsider may be, without carrying the subject, and shall be a final disposition thereof	13	1	13
An amendment to a general appropriation bill may be	16	3	16
An appeal from the decision of the Chair may be	20	1	18
When a question is pending, a motion may be made to lay on the table, which shall be decided without debate	22	–	19
Leave to introduce a bill. May be offered if no objection	14	1	14
Leave of the Senate. A motion to reconsider shall not be withdrawn without	21	2	19
No Senator shall absent himself from the service of the Senate without	5	1	7

	Rule.	Clause.	Page.
Leave of the Senate. No Senator shall speak more than twice on any one question on the same day without	19	1	17
A Senator when called to order shall sit down and shall not proceed without	19	2	18
No memorial or other paper, except original treaties, shall be withdrawn without	30	1	27
Legislative business. The legislative business of the Senate shall be continued from session to session of the same Congress	32	–	28
The legislative proceedings of the Senate shall be recorded in a separate book	4	2	7

M.

Majority. A motion to reconsider a vote may be decided by a	13	1	13
All questions upon a treaty, except on the question of ratification, and on a motion to postpone indefinitely, shall be by a	37	1	31
Memorials and petitions shall be referred without putting the question	7	3	9
Before being presented or read they shall be signed, indorsed with a brief statement of their contents, and referred without debate	7	4	9
Of foreign citizens or subjects shall not be received unless through the President	7	4	9
Where an adverse report has been made they shall not be withdrawn, unless copies are left with the Secretary	30	2	27
Shall not be withdrawn from the files without leave of the Senate	30	1	27
When an act has passed for the settlement of a private claim, the Secretary may transmit the papers to the accounting officers	30	1	27
Merits of the question proposed to be considered, It shall not be in order to discuss the	7	2	8
Messages from the President and from the House of Representatives may be received at any stage of the proceedings except	28	1	25
Messages to the House and communications to the President shall be taken by the Secretary	28	2	26

	Rule.	Clause.	Page.
Morning business. Order in which it is laid before the Senate, after the Journal is read	7	1	8
Until concluded, or until 1 o'clock, no motion to proceed to the consideration of any bill, resolution, etc., upon the Calendar shall be entertained unless by unanimous consent, and shall not be subject to amendment, and shall be decided without debate on the merits of the subject	7	2	8
At the conclusion of the, for each day, unless otherwise ordered, the Calendar of Bills and Resolutions shall be proceeded with until 2 o'clock	8	–	10
The order of, which shall not be interrupted, unless by unanimous consent, prescribed	7	1	8
No motion to proceed to the consideration of subjects on the Calendar shall be received, except by unanimous consent, during the	7	2	8
A motion received by unanimous consent to take up a subject shall not be open to amendment, and shall be decided without debate on the merits of the question.	7	2	8
Morning hour. Terminates two hours after meeting of Senate.	8	1	10
Motions. A motion to lay before the Senate bills or other matter sent to the Senate by the President or House of Representatives, in order at any time	7	5	9
To reconsider shall be decided by a majority vote without debate	13	1	13
Before a motion shall be debated it shall, if required, be reduced to writing	21	1	19
Which may be made when a question is under consideration; their order and precedence	22	–	19
A motion or resolution may be withdrawn or modified before a division, amendment, or ordering of the yeas and nays	21	2	19
A motion to reconsider shall not be withdrawn without leave of the Senate	21	2	19
A motion to discharge a committee shall lie over one day for consideration, unless by unanimous consent	26	2	25

N.

Nominations. The question on their confirmation shall not be put on the same day on which they are received, nor on the day on which they may be reported	38	1	33

	Rule.	Clause.	Page.
Nominations. Discussions upon the character and qualifications of a nominee and the votes upon a nomination shall be kept secret	38	2	33
The person nominated may be notified of charges against him, but the name of the party making them shall not be disclosed	38	2	33
A motion to reconsider the vote on a nomination may be made within two days of actual session	38	3	34
Notice of confirmation shall not be sent to the President until the expiration of two days of actual session	38	4	34
When the President has been notified of a confirmation, a motion to reconsider must be accompanied by a request to the President to return the notification of confirmation	38	3	34
A motion to reconsider the vote on a nomination may be laid on the table, which shall be final	38	3	34
Upon an adjournment of Congress, or a recess of more than thirty days, all motions to reconsider shall fall, and the nominations stand as confirmed or rejected, as the case may be	38	5	34
Not confirmed or rejected at one session shall not be considered at the next session unless renominated	38	6	34
Upon an adjournment of Congress, or on taking a recess of thirty days, all nominations not finally acted upon shall be returned to the President	38	5	34

O.

Oaths of office. The oaths required by the Constitution and prescribed by law shall be taken and subscribed by Senators in open Senate before entering upon their duties.	2	–	6
Order of business. After the conclusion of the morning business, prescribed	8	–	10
After the consideration of cases not objected to upon the Calendar is completed, and not later than 2 o'clock, prescribed	9	–	10
Order in debate. When a Senator shall be called to order, he shall sit down, and shall not proceed without leave of the Senate, which shall be determined without debate.	19	2	18
No Senator shall speak to or interrupt another without his consent, to obtain which he shall first address the Chair	19	1	17

	Rule.	Clause.	Page.
Order in debate. If a Senator be called to order for words spoken in debate, the exceptionable words, if required, shall be taken down	19	3	18
The Presiding Officer shall name the Senator who is to speak, who shall in all cases be the one who shall first address the Chair	19	1	17
No Senator shall speak more than twice on any one question on the same day without leave of the Senate, to be determined without debate	19	1	17
A motion to take up a subject shall not be open to debate on the merits of the subject proposed to be considered.	7	2	8
Order, questions of. A question of order may be raised at any time, and shall be decided by the Chair without debate	20	1	18
An appeal may be taken from the decision of the Chair on a question of order	20	1	18
The Chair may submit any question of order to the decision of the Senate	20	2	19
When an appeal is taken from the decision of the Chair, any subsequent question of order or appeal shall be decided without debate	20	1	18
An appeal may be laid on the table, which shall be regarded as sustaining the decision of the Chair	20	1	18

P.

Papers. When the reading of a paper is called for, and objection be made, it shall be submitted to the Senate without debate	11	–	12
No papers, except original treaties, shall, without leave of the Senate, be withdrawn from its files	30	1	27
When an act has passed for the settlement of a private claim, the Secretary may transmit the papers to the accounting officers	30	1	27
When a claim has been adversely reported on, and the report be agreed to, the papers shall not be referred from the files without new evidence	31	–	27
Where an adverse report has been made, papers shall not be withdrawn without leaving copies with the Secretary	30	2	27
Pending measure. Amendment proposed to any, is laid on the table without carrying the measure to the table or prejudicing the same	17	–	17

	Rule.	Clause.	Page.
Petitions, before being presented, must be signed, indorsed with a brief statement of their contents, and referred without debate	7	4	9
Order in which the Chair shall call for, in the morning hour.	7	1	8
Order to print in Record covers body of petition only	7	–	9
No petition or other paper signed by citizens or subjects of a foreign power shall be received unless through the President	7	4	9
Every petition shall be referred without putting the question, unless there be objection	7	3	9
Plurality of votes. Select committees and the members of standing committees (except the chairman) shall be elected by a	24	1	20
Postpone indefinitely. When a question is pending, a motion may be made to	22	–	19
Preamble to a resolution. The question shall be first put upon the resolution, and last on the preamble	23	–	20
To a resolution may be withdrawn before an amendment or ordering of the yeas and nays. It may also be laid on the table	23	–	20
To a bill shall be last put to question, and may also be laid on the table	23	–	20
President pro tempore. (See *Presiding Officer.*)			
Presiding Officer of the Senate. In the absence of the Vice-President, the Senate shall choose a President *pro tempore*	1	1	5
Tenure of office of President *pro tempore*	1	–	5
In the absence of the Vice-President and pending the election of a President *pro tempore*, the Secretary, or, in his absence, the Chief Clerk, shall perform the duties of the Chair	1	2	5
He shall have the right to name a Senator to occupy the chair, who shall not hold beyond an adjournment except	1	3	5
He may at any time lay before the Senate bills or other matter sent to the Senate by the President or House of Representatives	7	5	9
The Presiding Officer shall decide every question of order without debate, subject to an appeal to the Senate	20	1	18
He may submit any question of order without decision to the Senate	20	2	19

	Rule.	Clause.	Page.
Printing. Every motion to print, except to print bills, reports of committees, resolutions, communications from State legislatures and conventions, and motions to print, made by direction of committees, shall be referred to the Committee on	29	1	26
All reports of committees, unless for the dispatch of business the printing be dispensed with, shall be printed	29	3	27
Motions to print additional numbers shall be referred to the Committee on	29	2	26
When the cost of printing additional numbers shall exceed five hundred dollars, it shall be by concurrent resolution	29	2	26
Every bill, joint resolution, and report of committee shall be printed unless	29	3	27
Private bill. May be referred to Court of Claims	15	3	15
Private claim. No memorial or other papers shall be withdrawn from the files without leave of the Senate	30	1	27
Where a private act has passed, the Secretary may transmit the papers to the officer charged with the settlement	30	1	27
No private claim, which has been rejected, shall be again referred from the files without new evidence	31	–	27
Where an adverse report has been made on a private claim, the papers shall not be withdrawn without leaving copies	30	2	27
No amendment shall be proposed to any general appropriation bill whose object is to provide for a	16	4	16
Private secretary of Senator shall not be admitted to the floor until the Senator appointing him certifies in writing that he is employed as such	33	–	28
Privileged motions, save as against a motion to adjourn, to proceed to Executive business, or questions of privilege, and shall be decided without debate	9	–	10
Privileges of the floor	33	–	28

Q.

Question of order shall be decided by the Chair, without debate, subject to an appeal to the Senate. Every	20	1	18
The Chair may submit any question of order to the decision of the Senate	20	2	19
When an appeal is taken from the decision of the Chair, any subsequent question of order or appeal shall be decided without debate	20	1	18

	Rule.	Clause.	Page.
Question of order. An appeal from the decision of the Chair may be laid on the table, which shall be held to affirm the decision of the Chair	20	1	18
Question of privilege. A motion to amend or correct the Journal shall be deemed a, and shall be proceeded with until disposed of	3	1	6
When in order	6	1	7
Certain privileged motions may be submitted	9	–	10
Question under debate contains several points, any Senator may call for a division. If the	18	–	17
But a motion to strike out and insert shall not be divided.	18	–	17
But, pending a motion to strike out and insert, each part shall be regarded as a question; and the part to be stricken out shall be first open to amendment	18	–	17
Quorum. The journal of the proceedings of the preceding day shall be read, there being present a	3	1	6
Shall consist of a majority of the Senators duly chosen and sworn	3	2	6
The presence of a quorum being questioned, the Chair shall direct the roll to be called to ascertain the presence of a	5	2	7
A majority of the Senators present may request or compel the attendance of Senators to make a	5	3	7
Pending the execution of the order requiring the presence of absent Senators, no debate or motion shall be in order but to adjourn	5	3	7

R.

Reading of a paper. When the reading of a paper is called for, and it be objected to, it shall be decided by the Senate without debate	11	–	12
Recess. Pending the consideration of a question, a motion, which shall be decided without debate, may be made for a	22	–	19
Recess of the Senate for more than thirty days. All nominations and motions to reconsider nominations shall fall upon a	38	5	34
Reconsideration. A motion to reconsider may be made by any Senator voting on the side that prevailed	13	1	13
A motion to reconsider may be made within the two next days of actual session, and shall be decided by a majority	13	1	13

	Rule.	Clause.	Page.
Reconsideration. When a bill or other matter shall have gone out of the possession of the Senate, the motion to reconsider shall be accompanied by a request for the return of the same	13	2	13
Which last motion shall be determined at once and without debate	13	2	13
If the Senate shall refuse to reconsider a vote, or upon consideration shall reaffirm its first decision, it shall not be in order to move to reconsider	13	1	13
A motion to reconsider may be laid on the table without prejudice to the main question	13	1	13
And if laid on the table, shall be a final disposition of the motion	13	1	13
A motion to reconsider shall not be withdrawn without leave of the Senate	21	2	19
A motion to reconsider a vote on a nomination may be laid on the table, and shall be final	38	3	34
A motion to reconsider a vote on a nomination returned to the President must be accompanied by a request for its return to the Senate	38	3	34
Motions to reconsider nominations shall fall, upon a recess of thirty days or on final adjournment	38	5	34
Reduced to writing. Before a motion shall be debated, if required, it shall be	21	1	19
Reference to a committee. A motion to refer shall not be open to amendment unless it be to add instructions	26	1	25
A motion to refer to a standing committee shall have precedence of a motion to refer to a select committee	26	1	25
Every bill and joint resolution shall be read twice before	14	3	14
Before the final vote on the passage of a bill or resolution it shall be in order to move its	15	2	15
Relevant to the subject-matter thereof. No amendment shall be proposed to any general appropriation bill which shall not be germane or	16	3	16
Reports of committees. The order in which they shall be called for by the Chair under "morning business"	7	1	8
If objected to, the consideration of the report of a committee shall lie over one day	26	2	25
Reports of committees. All reports of committees shall be printed, unless for the dispatch of business the printing be dispensed with	29	3	27

	Rule.	Clause.	Page.
Reports of committees of conference shall always be in order, and when made the question of their consideration shall be immediately put and decided without debate..	27	–	25
Resolutions. The order in which they shall be called for by the Chair under "morning business".....	7	1	8
Not objected to, to be taken up in their order.....	8	–	10
When accompanied by a preamble, the question shall be first put on the resolution, then on the preamble, which may be withdrawn or laid on the table.....	23	–	20
A resolution may be withdrawn or modified by the mover before an amendment or ordering of the yeas and nays.	21	2	19
A resolution to pay money out of the contingent fund shall be referred to the Committee on Contingent Expenses.....	25	1	21
All resolutions shall, if their consideration be objected to, lie over one day.....	14	5	14
Revenue bills, to proceed to the consideration of, a privileged motion.....	9	–	10
Rules. No motion to suspend, modify, or amend any rule, except on one day's notice in writing.....	40	–	35
Any rule may be suspended without notice by unanimous consent, except Rule XII.....	40	–	35
But no motion shall be in order to suspend Rule XII, in respect to voting.....	40	–	35

S.

Secrecy. The galleries shall be cleared and the doors closed on the discussion of a question that may require.....	35	–	30
All confidential communications from the President, and all treaties and debates and proceedings thereon, shall be kept secret.....	36	3	31
All matters touching the character and qualifications of a nomination, and all votes and proceedings thereon, shall be kept secret.....	38	2	33
Removal of injunction of secrecy from Report of Committee on Rules.....	36	3	31
A Senator disclosing the confidential or secret business of the Senate shall be liable to expulsion.....	36	4	31
An officer of the Senate committing a like offense shall be dismissed and punished for a contempt.....	36	4	31
Select committees.....	–	–	24

	Rule.	Clause.	Page.
Secretary of Senate. When to perform duties of the Chair..	1	2	5
To keep record of certificates of election of Senators....	6	2	8
To transmit papers in relation to claims to committee before whom claim is pending.....	31	–	27
Senate Chamber. Shall not be granted for any other purpose than for the use of the Senate.....	34	1	29
Senators. Not to absent themselves from the service of the Senate without leave.....	5	1	7
Not to speak but once, and for five minutes only, on bills and resolutions on the Calendar not objected to	8	–	10
Special orders. The unfinished business shall take precedence of the.....	10	1	11
Consideration of the Calendar of Bills and Resolutions at the conclusion of morning business until 2 o'clock takes precedence of.....	8	–	10
Any subject may be made a special order by a vote of two-thirds.....	10	1	11
Unless there be unfinished business, the Chair shall lay before the Senate the	10	1	11
Special orders for same hour and day shall have precedence according to time at which they were made such.	10	2	12
Special orders shall not lose their character as such unless by a vote of the Senate.....	10	2	12
Every special order shall, unless there be unfinished business, be called up when the hour assigned shall arrive.	10	1	11
Speak more than twice in any one debate on the same day without leave of the Senate. No Senator shall.....	19	1	17
Speak. The Presiding Officer shall name who is to speak, but the Senator first rising shall be first recognized	19	1	17
Standing committees.....	25	–	21
Standing Rules of Senate	–	–	5
Suspension of the rules. One day's notice in writing required to suspend, amend, or modify any rule of the Senate..	40	–	35
Rule XII, in relation to voting, shall never, under any circumstances, be suspended	40	–	35

T.

Table. An amendment to a general appropriation bill may be laid on the.....	16	3	16
A motion to reconsider may be laid on the.....	13	1	13

	Rule.	Clause.	Page.
Table. And if carried shall be held to be a final disposition of the motion	13	1	13
When an amendment proposed to any pending measure is laid on the, it shall not carry with it nor prejudice such measure	17	–	17
When a question is pending, a motion may be made to lay on the, which shall be decided without debate	22	–	19
Preamble of a bill or resolution may be withdrawn or laid on the, without prejudice to the bill or resolution	23	–	20
An appeal from the decision of the Chair may be laid on the	20	1	18
If laid on the table, it shall be held as affirming the decision of the Chair	20	1	18
All resolutions, reports of committees, motions to discharge a committee, and subjects from which a committee may be discharged shall lie over one day for consideration	26	2	25
Treaties. When a treaty is laid before the Senate, no motion shall be made in reference to it but to refer or to print it, to remove injunction of secrecy, or to consider it in open Executive session	37	1	31
A treaty shall not be considered on the same day that it is reported, if objected to	37	1	31
After being acted upon as in Committee of the Whole it shall be reported to the Senate	37	1	31
When the question will be, if amended, on concurring in the amendments made in Committee of the Whole	37	1	31
Injunction of secrecy may be removed at any stage of proceedings, or treaty may be considered in open Executive session	37	1	31
After which the resolution of ratification may be proposed on a subsequent day	37	1	31
When the question shall be on the resolution of ratification, no amendment shall be in order	37	1	31
The question of ratification and a motion to postpone indefinitely shall each require a vote of two-thirds	37	1	31
All amendments and other motions may be decided by a majority	37	1	31
Shall be resumed at the second or any subsequent session of same Congress, at the stage when last acted upon	37	2	33
When proceedings shall terminate with a Congress, they shall be resumed *de novo*	37	2	33

	Rule.	Clause.	Page.
Treaties. Indian treaties shall, unless transmitted by the President in confidence, be acted upon in legislative session	37	3	33

U.

Unanimous consent. The reading of the Journal may be suspended by	3	1	6
Until the morning business is concluded, no motion to proceed to any other subject shall be received, unless by	7	2	8
After a decision is announced, a Senator may change or withdraw his vote by	12	1	12
When the Senate shall refuse to reconsider a vote, or reaffirm its first decision, no motion to reconsider can be received but by	13	1	13
Each bill shall receive three readings before passage on three different days, unless by	14	2	14
A bill may be read twice for reference, but not considered as in Committee of the Whole, nor debated, unless by	14	3	14
No amendment shall be proposed to a bill on its third reading, unless by	15	2	15
All resolutions shall lie over one day, unless by	14	5	14
All resolutions, reports of committees, motions to discharge a committee, and subjects from which a committee may be discharged, shall lie over one day, unless by	26	2	25
Any rule of the Senate can be suspended without notice by, except as provided in Rule XII	40	–	35
Treaties shall not be acted upon on the day on which they are reported, unless by	37	1	31
Resolution of ratification shall not be considered on the same day it is proposed, unless by	37	1	31
Nominations shall not be confirmed on the day they are received, or on which reported, unless by	38	1	33
Order of morning business changed only by	7	1	8
Unfinished business shall have preference over the special orders	10	1	11
Consideration of the Calendar of Bills and Resolutions at the conclusion of the morning business, until 2 o'clock, takes precedence of	8	–	10
Unfinished business of a session. The legislative business of the Senate shall be continued from session to session of the same Congress	32	–	28

V.

	Rule.	Clause.	Page.
Vacancies in committees, when filled by the Presiding Officer, shall, unless otherwise ordered, be only to fill up the number on the committee	24	2	21
Vice-President. In the absence of the Vice-President, the Senate shall choose a President *pro tempore*	1	1	5
In the absence of the, and pending the election of a President *pro tempore*, the Secretary, or, in his absence, the Chief Clerk, shall perform the duties of the Chair	1	2	5
Voting. When the yeas and nays are called, each Senator shall, unless excused from voting, answer when his name is called, without debate	12	1	12
Proceedings when a Senator shall be called on for reasons for declining to vote shall be without debate	12	2	12
Further proceedings shall not be had until after the result is announced	12	2	12
A Senator shall not be permitted to vote after the result is announced	12	1	12
But he may, for special reasons, by unanimous consent, withdraw or change his vote	12	1	12

W.

Withdrawal of a motion or resolution. A resolution or motion may be withdrawn at any time before amendment or ordering of the yeas and nays	21	2	19
Preamble to a resolution may be withdrawn before amendment or ordering of the yeas and nays	23	–	20
A motion to reconsider shall not be withdrawn without leave of the Senate	21	2	19
Withdrawal of papers. No papers except original treaties shall be withdrawn from the files without leave of the Senate	30	1	27
Where an act has passed for a private claim, the papers may be sent by the Secretary to the accounting officers.	30	1	27
No petition on which an adverse report has been made shall be withdrawn without leaving copies	30	2	27
Claims adversely reported on shall not be again referred without new evidence	31	–	27
Without debate. In ascertaining the presence of a quorum, the proceedings shall be	5	2	7
Sergeant-at-Arms may be directed to request or compel attendance of absent Senators	5	3	7

	Rule.	Clause.	Page.
Without debate. The reading of a paper, when objected to, shall be decided	11	–	12
A motion to request the House of Representatives to return a bill shall be decided at once, and	13	2	13
All questions of relevancy of amendments under Rule XVI shall be decided	16	3	16
A motion to permit a Senator to proceed in order shall be decided	19	2	18
A motion for leave to speak more than twice in one debate shall be decided	19	1	17
All questions of order shall be decided by the Chair	20	1	18
Subsequent questions of order and appeals shall be decided	20	1	18
Motions to adjourn, for a recess, for Executive business, and to lay on the table shall be decided	22	–	19
A motion to proceed to consideration of a conference report shall be decided	27	–	25
Each Senator, when the yeas and nays are called, shall, when his name is called, answer	12	1	12
Reasons for excusing a Senator from voting shall be determined	12	2	12
Words spoken in debate, if required, shall be taken down in writing. Exceptionable	19	3	18

Y.

Yeas and nays. Each Senator shall, when his name is called, answer openly, and without debate	12	1	12
A Senator may be required to assign reasons for not voting, which shall be without debate	12	2	12
He shall not be called on for reasons for not voting until after the roll call and before the result of the vote is announced	12	2	12
Other proceedings shall be after such announcement	12	2	12
A Senator shall not be permitted to vote after the result is announced	12	1	12
For special reasons, by unanimous consent, he may withdraw or change his vote	12	1	12
Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the	21	2	19

JEFFERSON'S MANUAL

OF

PARLIAMENTARY PRACTICE,

WITH REFERENCES TO

ANALOGOUS SENATE RULES.

PREFACE TO JEFFERSON'S MANUAL.

The Constitution of the United States, establishing a legislature for the Union under certain forms, authorizes each branch of it "to determine the rules of its own proceedings." The Senate has accordingly formed some rules for its own government; but these going only to few cases, it has referred to the decision of its President, without debate and without appeal, all questions of order arising either under its own rules or where it has provided none. This places under the discretion of the President a very extensive field of decision, and one which, irregularly exercised, would have a powerful effect on the proceedings and determinations of the House. The President must feel, weightily and seriously, this confidence in his discretion, and the necessity of recurring, for its government, to some known system of rules, that he may neither leave himself free to indulge caprice or passion nor open to the imputation of them. But to what system of rules is he to recur, as supplementary to those of the Senate? To this there can be but one answer. To the system of regulations adopted for the government of some one of the parliamentary bodies within these States, or of that which has served as a prototype to most of them. This last is the model which we have all studied, while we are little acquainted with the modifications of it in our several States. It is deposited, too, in publications possessed by many and open to all. Its rules are probably as wisely constructed for governing the debates of a deliberative body, and obtaining its true sense, as any which can become known to us; and the acquiescence of the Senate, hitherto, under the references to them, has given them the sanction of its approbation.

Considering, therefore, the law of proceedings in the Senate as composed of the precepts of the Constitution, the regulations of the Senate, and, where these are silent, of the rules of Parliament, I have here en-

deavored to collect and digest so much of these as is called for in ordinary practice, collating the Parliamentary with the Senatorial rules, both where they agree and where they vary. I have done this as well to have them at hand for my own government as to deposit with the Senate the standard by which I judge and am willing to be judged. I could not doubt the necessity of quoting the sources of my information, among which Mr. Hatsel's most valuable book is preeminent; but as he has only treated some general heads, I have been obliged to recur to other authorities in support of a number of common rules of practice to which his plan did not descend. Sometimes each authority cited supports the whole passage. Sometimes it rests on all taken together. Sometimes the authority goes only to a part of the text, the residue being inferred from known rules and principles. For some of the most familiar forms no written authority is or can be quoted; no writer having supposed it necessary to repeat what all were presumed to know. The statement of these must rest on their notoriety.

I am aware that authorities can often be produced in opposition to the rules which I lay down as Parliamentary. An attention to dates will generally remove their weight. The proceedings of Parliament in ancient times, and for a long while, were crude, multiform, and embarrassing. They have been, however, constantly advancing toward uniformity and accuracy, and have now attained a degree of aptitude to their object beyond which little is to be desired or expected.

Yet I am far from the presumption of believing that I may not have mistaken the Parliamentary practice in some cases, and especially in those minor forms, which, being practiced daily, are supposed known to everybody, and therefore have not been committed to writing. Our resources in this quarter of the globe for obtaining information on that part of the subject are not perfect. But I have begun a sketch, which those who come after me will successively correct and fill up till a code of rules shall be formed for the use of the Senate, the effects of which may be accuracy in business, economy of time, order, uniformity, and impartiality.

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JEFFERSON'S MANUAL OF PARLIAMENTARY PRACTICE.

IMPORTANCE OF RULES.

SEC. I. IMPORTANCE OF ADHERING TO RULES.

Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power. So far the maxim is certainly true, and is founded in good sense; that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities. *2 Hats., 171, 172.*

And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the members. It is very material that order, decency, and regularity be preserved in a dignified public body. *2 Hats., 149.*

SEC. II. LEGISLATURE.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives. *Constitution of the United States, Art. I, sec. 1.*

The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. *Constitution of the United States, Art. I, sec. 6.*

For the powers of Congress, see the following articles and sections of the Constitution of the United States: I, 4, 7, 8, 9; II, 1, 2; III, 3; IV, 1, 3, 5, and all the amendments.

SEC. III. PRIVILEGE.

The privileges of members of Parliament, from small and obscure beginnings, have been advancing for centuries with a firm and never-yielding pace. Claims seem to have been brought forward from time to time, and repeated, till some example of their admission enabled them to build law on that example. We can only, therefore, state the points of progression at which they now are. It is now acknowledged: 1. That they are at all times exempted from question elsewhere, for anything said in their own House; that during the time of privilege. 2. Neither a member himself, his* wife, nor his servants

*Order of the House of Commons, 1663, July 16.

(familiares sui), for any matter of their own, may be* arrested on mesne process in any civil suit. 3. Nor be detained under execution, though levied before time of privilege. 4. Nor impleaded, cited, or subpœnaed in any court. 5. Nor summoned as a witness or juror. 6. Nor may their lands or goods be distrained. 7. Nor their persons assaulted or characters traduced. And the period of time covered by privilege, before and after the session, with the practice of short prorogations under the connivance of the Crown, amounts in fact to a perpetual protection against the course of justice. In one instance, indeed, it has been relaxed by the 10 G. III, c. 50, which permits judiciary proceedings to go on against them. That these privileges must be continually progressive seems to result from their rejecting all definition of them, the doctrine being that "their dignity and independence are preserved by keeping their privileges indefinite; and that 'the maxims upon which they proceed, together with the method of proceeding, rest entirely in their own breast, and are not defined and ascertained by any particular stated laws.'" *1 Blackst., 163, 164.*

It was probably from this view of the encroaching character of privilege that the framers of our Constitution, in their care to provide that the laws shall bind equally on all, and especially that those who make them shall not exempt themselves from their operation, have only privileged Senators and Representatives themselves from the single act of arrest in all cases except treason, felony, and breach of the peace, during their attendance at the session of their respective Houses, and in going to and returning from the same, and from being questioned in any other place for any speech or debate in either House. *Constitution United States, Art. I, sec. 6.* Under the general authority to make all laws necessary and proper for carrying into execution the powers given them (*Constitution United States, Art. I, sec. 8*), they may provide by law

* Elsynge, 217; 1 Hats., 21; 1 Grey's Deb., 133.

the details which may be necessary for giving full effect to the enjoyment of this privilege. No such law being as yet made, it seems to stand at present on the following ground: 1. The act of arrest is void ab initio.* 2. The member arrested may be discharged on motion (*1 Bl., 166; 2 Stra., 990*), or by habeas corpus, under the Federal or State authority, as the case may be; or by a writ of privilege out of the chancery (*2 Stra., 989*) in those States which have adopted that part of the laws of England. *Orders of the House of Commons, 1550, February 20.* 3. The arrest, being unlawful, is a trespass for which the officer and others concerned are liable to action or indictment in the ordinary courts of justice, as in other cases of unauthorized arrest. 4. The court before which the process is returnable is bound to act as in other cases of unauthorized proceeding, and liable, also, as in other similar cases, to have their proceedings stayed or corrected by the superior courts.

The time necessary for going to and returning from Congress not being defined, it will, of course, be judged of in every particular case by those who will have to decide the case. While privilege was understood in England to extend, as it does here, only to exemption from arrest, eundo, morando, et redeundo, the House of Commons themselves decided that "a convenient time was to be understood." (1580.) *1 Hats., 99, 100.* Nor is the law so strict in point of time as to require the party to set out immediately on his return, but allows him time to settle his private affairs, and to prepare for his journey; and does not even scan his road very nicely, nor forfeit his protection for a little deviation from that which is most direct; some necessity perhaps constraining him to it. *2 Stra., 986, 987.*

This privilege from arrest, privileges, of course, against all process the disobedience to which is punishable by an attachment of the person, as a subpœna ad respondendum, or testificandum, or a summons on a jury; and with reason, because a

* 2 Stra., 989.

member has superior duties to perform in another place. When a Representative is withdrawn from his seat by summons, the 40,000 people whom he represents lose their voice in debate and vote, as they do on his voluntary absence; when a Senator is withdrawn by summons, his State loses half its voice in debate and vote, as it does on his voluntary absence. The enormous disparity of evil admits of no comparison.

So far there will probably be no difference of opinion as to the privileges of the two Houses of Congress; but in the following cases it is otherwise. In December, 1795, the House of Representatives committed two persons of the name of Randall and Whitney for attempting to corrupt the integrity of certain members, which they considered as a contempt and breach of the privileges of the House; and the facts being proved Whitney was detained in confinement a fortnight and Randall three weeks, and both were reprimanded by the Speaker. In March, 1796, the House of Representatives voted a challenge given to a member of their House to be a breach of the privileges of the House, but satisfactory apologies and acknowledgments being made no further proceeding was had. The editor of the Aurora having, in his paper of February 19, 1800, inserted some paragraphs defamatory of the Senate, and failed in his appearance, he was ordered to be committed. In debating the legality of this order it was insisted, in support of it, that every man, by the law of nature, and every body of men possesses the right of self-defense; that all public functionaries are essentially invested with the powers of self-preservation; that they have an inherent right to do all acts necessary to keep themselves in a condition to discharge the trusts confided to them; that whenever authorities are given, the means of carrying them into execution are given by necessary implication; that thus we see the British Parliament exercise the right of punishing contempts; all the State legislatures exercise the same power, and every court does the same; that, if we have it not, we sit at the mercy of every intruder who may enter our doors or gallery, and, by noise and

tumult, render proceeding in business impracticable; that if our tranquillity is to be perpetually disturbed by newspaper defamation, it will not be possible to exercise our functions with the requisite coolness and deliberation; and that we must therefore have a power to punish these disturbers of our peace and proceedings. To this it was answered that the Parliament and courts of England have cognizance of contempts by the express provisions of their law; that the State legislatures have equal authority, because their powers are plenary; they represent their constituents completely, and possess all their powers, except such as their constitutions have expressly denied them; that the courts of the several States have the same powers by the laws of their States, and those of the Federal Government by the same State laws adopted in each State, by a law of Congress; that none of these bodies, therefore, derive those powers from natural or necessary right, but from express law; that Congress have no such natural or necessary power, nor any powers but such as are given them by the Constitution; that that has given them, directly, exemption from personal arrest, exemption from question elsewhere for what is said in their House, and power over their own members and proceedings; for these no further law is necessary, the Constitution being the law; that, moreover, by that article of the Constitution which authorizes them "to make all laws necessary and proper for carrying into execution the powers vested by the Constitution in them," they may provide by law for an undisturbed exercise of their functions, e. g., for the punishment of contempts, of affrays or tumult in their presence, etc.; but, till the law be made, it does not exist, and does not exist from their own neglect; that, in the meantime, however, they are not unprotected, the ordinary magistrates and courts of law being open and competent to punish all unjustifiable disturbances or defamations, and even their own sergeant, who may appoint deputies ad libitum to aid him (*3 Grey, 59, 147, 255*), is equal to small disturbances; that in requiring a previous law the Constitution

had regard to the inviolability of the citizen, as well as of the member; as, should one House, in the regular form of a bill, aim at too broad privileges, it may be checked by the other, and both by the President; and also, as the law being promulgated, the citizen will know how to avoid offense. But if one branch may assume its own privileges without control, if it may do it on the spur of the occasion, conceal the law in its own breast, and, after the fact committed, make its sentence both the law and the judgment on that fact; if the offense is to be kept undefined and to be declared only ex re nata and according to the passions of the moment, and there be no limitation either in the manner or measure of the punishment, the condition of the citizen will be perilous indeed. Which of these doctrines is to prevail time will decide. Where there is no fixed law, the judgment on any particular case is the law of that single case only, and dies with it. When a new and even a similar case arises, the judgment which is to make and at the same time apply the law is open to question and consideration, as are all new laws. Perhaps Congress, in the meantime, in their care for the safety of the citizen, as well as that for their own protection, may declare by law what is necessary and proper to enable them to carry into execution the powers vested in them, and thereby hang up a rule for the inspection of all, which may direct the conduct of the citizen and at the same time test the judgments they shall themselves pronounce in their own case.

Privilege from arrest takes place by force of the election; and before a return be made a member elected may be named of a committee, and is to every extent a member except that he can not vote until he is sworn. *Memor., 107, 108; D'Ewes, 642, col. 2, 643, col. 1; Pet. Miscel. Parl., 119; Lex Parl., c. 23; 2 Hats., 22, 62.*

Every man must, at his peril, take notice who are members of either House returned of record. *Lex Parl., 23; 4 Inst., 24.*

On complaint of a breach of privilege, the party may either

be summoned or sent for in custody of the sergeant. *1 Grey, 88, 95.*

The privilege of a member is the privilege of the House. If the member waive it without leave, it is a ground for punishing him, but can not in effect waive the privilege of the House. *3 Grey, 140, 222.*

For any speech or debate in either House they shall not be questioned in any other place. *Constitution United States, I, 6; S. P. protest of the Commons to James I, 1621; 2 Rapin, No. 54, pp. 211, 212.* But this is restrained to things done in the House in a parliamentary course. *1 Rush., 663.* For he is not to have privilege contra morem parliamentarium to exceed the bounds and limits of his place and duty. *Com. p.*

If an offense be committed by a member in the House, of which the House has cognizance, it is an infringement of their right for any person or court to take notice of it till the House has punished the offender or referred him to a due course. *Lex Parl., 63.*

Privilege is in the power of the House, and is a restraint to the proceeding of inferior courts, but not of the House itself. *2 Nalson, 450; 2 Grey, 399.* For whatever is spoken in the House is subject to the censure of the House; and offenses of this kind have been severely punished by calling the person to the bar to make submission, committing him to the Tower, expelling the House, etc. *Scob., 72; Lex Parl., c. 22.*

It is a breach of order for the Speaker to refuse to put a question which is in order. *1 Hats., 175–6; 5 Grey, 133.*

And even in cases of treason, felony, and breach of the peace, to which privilege does not extend as to substance, yet in Parliament a member is privileged as to the mode of proceeding. The case is first to be laid before the House, that it may judge of the fact and of the grounds of the accusation, and how far forth the manner of the trial may concern their privilege; otherwise it would be in the power of other branches of the Government, and even of every private man, under pre-

tenses of treason, etc., to take any man from his service in the House, and so, as many, one after another, as would make the House what he pleaseth. *Dec'l of the Com. on the King's declaring Sir John Hotham a traitor. 4 Rushw., 586.* So, when a member stood indicted for felony, it was adjudged that he ought to remain of the House till conviction; for it may be any man's case, who is guiltless, to be accused and indicted of felony, or the like crime. *23 El., 1580; D'Ewes, 283, col. 1; Lex Parl., 133.*

When it is found necessary for the public service to put a member under arrest, or when, on any public inquiry, matter comes out which may lead to affect the person of a member, it is the practice immediately to acquaint the House, that they may know the reasons for such a proceeding, and take such steps as they think proper. *2 Hats., 259.* Of which see many examples. *Ib., 256, 257, 258.* But the communication is subsequent to the arrest. *1 Blackst., 167.*

It is highly expedient, says Hatsel, for the due preservation of the privileges of the separate branches of the legislature, that neither should encroach on the other, or interfere in any matter depending before them, so as to preclude, or even influence, that freedom of debate which is essential to a free council. They are, therefore, not to take notice of any bills or other matters depending, or of votes that have been given, or of speeches which have been held, by the members of either of the other branches of the legislature, until the same have been communicated to them in the usual parliamentary manner. *2 Hats., 252; 4 Inst., 15; Seld. Jud., 53.* Thus the King's taking notice of the bill for suppressing soldiers, depending before the House; his proposing a provisional clause for a bill before it was presented to him by the two Houses; his expressing displeasure against some persons for matters moved in Parliament during the debate and preparation of a bill, were breaches of privilege (*2 Nalson, 743*); and in 1783, December 17, it was declared a breach of fundamental privileges, etc.,

to report any opinion or pretended opinion of the King on any bill or proceeding depending in either House of Parliament, with a view to influence the votes of the members. *2 Hats., 251, 6.*

SEC. IV. ELECTIONS.

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators. *Constitution, I, 4.*

Each House shall be the judge of the elections, returns, and qualifications of its own members. *Constitution, I, 5.*

SEC. V. QUALIFICATIONS.

The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof for six years, and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the end of the second year; of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies. *Constitution, I, 3.*

No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhab-

itant of that State for which he shall be chosen. *Constitution, I, 3.*

The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. *Constitution, I, 2.*

No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen. *Constitution, I, 2.*

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers; [which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.] * The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative. *Constitution, I, 2.*

The provisional apportionments of Representatives made in the Constitution in 1787, and afterwards by Congress, were as shown in table on pages 78 and 79.

When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies. *Constitution, I, 2.*

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created,

* The portion of this clause of the Constitution within brackets has been amended by the 14th amendment, 2d section.

Provisional apportionments of Representatives made in the Constitution in 1787, and afterwards by Congress.

State.	1787.[1]	1790.[2]	1800.[3]	1810.[4]	1820.[5]	1830.[6]	1840.[7]	1850.[8]	1860.[9]	1870.[10]	1880.[11]	1890.[12]
Maine[13]					7	8	7	6	5	5	4	4
New Hampshire	3	4	5	6	6	5	4	3	3	3	2	2
Massachusetts	8	14	17	20	13	12	10	11	10	11	12	13
Rhode Island	1	2	2	2	2	2	2	2	2	2	2	2
Connecticut	5	7	7	7	6	6	4	4	4	4	4	4
Vermont		2	4	6	5	5	4	3	3	3	2	2
New York	6	10	17	27	34	40	34	33	31	33	34	34
New Jersey	4	5	6	6	6	6	5	5	5	7	7	8
Pennsylvania	8	13	18	23	26	28	24	25	24	27	28	30
Delaware	1	1	1	2	1	1	1	1	1	1	1	1
Maryland	6	8	9	9	9	8	6	6	5	6	6	6
Virginia	10	19	22	23	22	21	15	13	11	9	10	10
North Carolina	5	10	12	13	13	13	9	8	7	8	9	9
South Carolina	5	6	8	9	9	9	7	6	4	5	7	7
Georgia	3	2	4	6	7	9	8	8	7	9	10	11
Kentucky		2	6	10	12	13	10	10	9	10	11	11
Tennessee[14]			3	6	9	13	11	10	8	10	10	10
Ohio[15]				6	14	19	21	21	19	20	21	21
Louisiana[16]					3	3	4	4	5	6	6	6
Indiana[17]					3	7	10	11	11	13	13	13
Mississippi[18]					1	2	4	5	5	6	7	7
Illinois[19]					1	3	7	9	14	19	20	22
Alabama[20]					2	5	7	7	6	8	8	9
Missouri[21]					1	2	5	7	9	13	14	15
Arkansas[22]							1	2	3	4	5	6
Michigan[23]							3	4	6	9	11	12
Florida[24]								1	1	2	2	2
Iowa[25]								2	6	9	11	11
Texas[26]								2	4	6	11	13
Wisconsin[27]								3	6	8	9	10
California[28]								2	3	4	6	7
Minnesota[29]									2	3	5	7
Oregon[30]									1	1	1	2
Kansas[31]									1	3	7	8
West Virginia[32]									3	3	4	4
Nevada[33]									1	1	1	1
Nebraska[34]									1	1	3	6
Colorado[35]										1	1	2
South Dakota[36]												2
North Dakota[37]												1
Montana[38]												1
Washington[39]												2
Idaho[40]												1

State.	1787.[1]	1790.[2]	1800.[3]	1810.[4]	1820.[5]	1830.[6]	1840.[7]	1850.[8]	1860.[9]	1870.[10]	1880.[11]	1890.[12]
Wyoming[41]	....	....	....	....	....	....	....	....	....	....	....	1
Utah[42]	....	....	....	....	....	....	....	....	....	....	....	1
Total	63	105	141	181	212	240	223	234	241	293	325	357

[1] As per Constitution.

[2] As per act of April 14, 1792, one Representative for 33,000—First Census.

[3] As per act of January 14, 1802, one Representative for 33,000—Second Census.

[4] As per act of December 21, 1811, one Representative for 35,000—Third Census.

[5] As per act of March 7, 1822, one Representative for 40,000—Fourth Census.

[6] As per act of May 22, 1832, one Representative for 47,700—Fifth Census.

[7] As per act of June 25, 1842, one Representative for 70,680—Sixth Census.

[8] As per acts of May 23, 1850, and July 30, 1852, one Representative for 93,423—Seventh Census.

[9] As per act of March 4, 1862, one Representative for 127,381—Eighth Census.

[10] As per acts of February 2 and May 30, 1872, one Representative for 131,425—Ninth Census.

[11] As per act of February 25, 1882, one Representative for 151,911—Tenth Census.

[12] As per act of February 7, 1891, one Representative for 173,901—Eleventh Census.

[13] Previous to the 3d March, 1820, Maine formed part of Massachussetts, and was called the *District of Maine*, and its Representatives are numbered with those of Massachusetts. By compact between Maine and Massachusetts, Maine became a separate and independent State, and by act of Congress of 3d March, 1820, was admitted into the Union as such—the admission to take place on the 15th of the same month. On the 7th of April, 1820, Maine was declared entitled to seven Representatives, to be taken from those of Massachusetts.

[14] Admitted under act of Congress, June 1, 1796, with one Representative.

[15] Admitted under act of Congress, April 30, 1802, with one Representative.

[16] Admitted under act of Congress, April 8, 1812, with one Representative.

[17] Admitted under act of Congress, December 11, 1816, with one Representative.

[18] Admitted under act of Congress, December 10, 1817, with one Representative.

[19] Admitted under act of Congress, December 3, 1818, with one Representative.

[20] Admitted under act of Congress, December 14, 1819, with one Representative.

[21] Admitted under act of Congress, March 2, 1821, with one Representative.

[22] Admitted under act of Congress, June 15, 1836, with one Representative.

[23] Admitted under act of Congress, January 26, 1837, with one Representative.

[24] Admitted under act of Congress, March 3, 1845, with one Representative.

[25] Admitted under act of Congress, March 3, 1845, with one Representative.

[26] Admitted under act of Congress, December 29, 1845, with two Representatives.

[27] Admitted under act of Congress, May 29, 1848, with two Representatives.

[28] Admitted under act of Congress, September 9, 1850, with two Representatives.

[29] Admitted under act of Congress, May 11, 1858, with two Representatives.

[30] Admitted under act of Congress, February 14, 1859, with one Representative.

[31] Admitted under act of Congress, January 29, 1861, with one Representative.

[32] Admitted under act of Congress, June 20, 1863, with three Representatives.

[33] Admitted under act of Congress, October 31, 1864, with one Representative.

[34] Admitted under act of Congress, March 1, 1867, with one Representative.

[35] Admitted under act of Congress, August 1, 1876, with one Representative.

[36] Admitted under act of Congress, February 22, 1889, with two Representatives.

[37] Admitted under act of Congress, February 22, 1889, with one Representative.

[38] Admitted under act of Congress, February 22, 1889, with one Representative.

[39] Admitted under act of Congress, February 22, 1889, with one Representative.

[40] Admitted under act of Congress, July 3, 1890, with one Representative.

[41] Admitted under act of Congress, July 10, 1890, with one Representative.

[42] Admitted under act of Congress, July 16, 1894, with one Representative.

or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either House during his continuance in office. *Constitution, I, 6.*

SEC. VI. QUORUM.

A majority of each House shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members in such manner and under such penalties as each House may provide. *Constitution, I, 5.*

In general the chair is not to be taken till a quorum for business is present; unless, after due waiting, such a quorum be despaired of, when the chair may be taken and the House adjourned. And whenever, during business, it is observed that a quorum is not present, any member may call for the House to be counted, and being found deficient, business is suspended. *2 Hats., 125, 126.*

NOTE.—See Senate Rule III.

SEC. VII. CALL OF THE HOUSE.

On a call of the House, each person rises up as he is called, and answereth; the absentees are then only noted, but no excuse to be made till the House be fully called over. Then the absentees are called a second time, and if still absent, excuses are to be heard. *Ord. House of Commons, 92.*

They rise that their persons may be recognized, the voice, in such a crowd, being an insufficient verification of their presence. But in so small a body as the Senate of the United States the trouble of rising can not be necessary.

Orders for calls on different days may subsist at the same time. *2 Hats., 72.*

NOTE.—See Senate Rule V, clause 2.

SEC. VIII. ABSENCE.

No member shall absent himself from the service of the Senate without leave of the Senate first obtained. And in case a less number than a quorum of the Senate shall convene, they are hereby authorized to send the Sergeant-at-Arms, or any other person or persons by them authorized, for any or all absent members, as the majority of such members present shall agree, at the expense of such absent members, respectively, unless such excuse for nonattendance shall be made as the Senate, when a quorum is convened, shall judge sufficient; and in that case the expense shall be paid out of the contingent fund. And this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session, after the hour is arrived to which the Senate stood adjourned.

NOTE.—See Senate Rule V.

SEC. IX. SPEAKER.

The Vice-President of the United States shall be President of the Senate, but shall have no vote unless they be equally divided. *Constitution, I, 3.*

The Senate shall choose their officers, and also a President pro tempore in the absence of the Vice-President, or when he shall exercise the office of President of the United States. *Ib.*

The House of Representatives shall choose their Speaker and other officers. *Constitution, I, 2.*

When but one person is proposed, and no objection made, it has not been usual in Parliament to put any question to the House; but without a question the members proposing him conduct him to the chair. But if there be objection, or another proposed, a question is put by the Clerk. *2 Hats., 158.* As are also questions of adjournment. *6 Grey, 406.* Where the House debated and exchanged messages and answers with the

King for a week without a Speaker, till they were prorogued. They have done it de die in diem for fourteen days. *1 Chand., 331, 335.*

In the Senate a President pro tempore, in the absence of the Vice-President, is proposed and chosen by ballot. His office is understood to be determined on the Vice-President's appearing and taking the chair, or at the meeting of the Senate after the first recess.

NOTE.—See Senate Rule I.

Where the Speaker has been ill, other Speakers pro tempore have been appointed. Instances of this are *1 H., 4.* Sir John Cheyney and Sir William Sturton, and in *15 H., 6.* Sir John Tyrrel, in 1656, January 27; 1658, March 9; 1659, January 13.

Sir Job Charlton ill, Seymour chosen, 1673, February 18.
Seymour being ill, Sir Robert Sawyer chosen, 1678, April 15.
Sawyer being ill, Seymour chosen.

Not merely pro tempore. *1 Chand., 169, 276, 277.*

Thorpe in execution, a new Speaker chosen, *31 H. VI, 3 Grey, 11;* and March 14, 1694, Sir John Trevor chosen. There have been no later instances. *2 Hats., 161; 4 Inst., 8; L. Parl., 263.*

A Speaker may be removed at the will of the House, and a Speaker pro tempore appointed. *2 Grey, 186; 5 Grey, 134.*

SEC. X. ADDRESS.

The President shall, from time to time, give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient. *Constitution, II, 3.*

A joint address of both Houses of Parliament is read by the

Speaker of the House of Lords. It may be attended by both Houses in a body, or by a committee from each House, or by the two Speakers only. An address of the House of Commons only may be presented by the whole House, or by the Speaker, *9 Grey, 473; 1 Chandler, 298, 301;* or by such particular members as are of the privy council. *2 Hats., 278.*

SEC. XI. COMMITTEES.

Standing committees, as of Privileges and Elections, etc., are usually appointed at the first meeting, to continue through the session. The person first named is generally permitted to act as chairman. But this is a matter of courtesy; every committee having a right to elect their own chairman, who presides over them, puts questions, and reports their proceedings to the House. *4 Inst., 11, 12; Scob., 9; 1 Grey, 122.*

NOTE.—See Senate Rules XXIV and XXV.

At these committees the members are to speak standing, and not sitting; though there is reason to conjecture it was formerly otherwise. *D'Ewes, 630, col. 1; 4 Parl. Hist., 440; 2 Hats., 77.*

Their proceedings are not to be published, as they are of no force till confirmed by the House. *Rushw., part. 3, vol. 2, 74; 3 Grey, 401; Scob., 39.* Nor can they receive a petition but through the House. *9 Grey, 412.*

When a committee is charged with an inquiry, if a member prove to be involved, they can not proceed against him, but must make a special report to the House; whereupon the member is heard in his place, or at the bar, or a special authority is given to the committee to inquire concerning him. *9 Grey, 523.*

So soon as the House sits, and a committee is notified of it, the chairman is in duty bound to rise instantly, and the members to attend the service of the House. *2 Nals., 319.*

It appears that on joint committees of the Lords and Commons, each committee acted integrally in the following

instances: *7 Grey, 261, 278, 285, 338; 1 Chandler, 357, 462.* In the following instances it does not appear whether they did or not: *6 Grey, 129; 7 Grey, 213, 229, 321.*

SEC. XII. COMMITTEE OF THE WHOLE.

The speech, messages, and other matters of great concernment are usually referred to a Committee of the Whole House (*6 Grey, 311*), where general principles are digested in the form of resolutions, which are debated and amended till they get into a shape which meets the approbation of a majority. These being reported and confirmed by the House, are then referred to one or more select committees, according as the subject divides itself into one or more bills. *Scob., 36, 44.* Propositions for any charge on the people are especially to be first made in a Committee of the Whole. *3 Hats., 127.* The sense of the whole is better taken in committee, because in all committees everyone speaks as often as he pleases. *Scob., 49.* They generally acquiesce in the chairman named by the Speaker; but, as well as all other committees, have a right to elect one, some member, by consent, putting the question. *Scob., 36; 3 Grey, 301.* The form of going from the House into committee, is for the Speaker, on motion, to put the question that the House do now resolve itself into a Committee of the Whole to take into consideration such a matter, naming it. If determined in the affirmative, he leaves the chair and takes a seat elsewhere, as any other member, and the person appointed chairman seats himself at the Clerk's table. *Scob., 36.* Their quorum is the same as that of the House; and if a defect happens, the chairman, on a motion and question, rises, the Speaker resumes the chair, and the chairman can make no other report than to inform the House of the cause of their dissolution. If a message is announced during a committee, the Speaker takes the chair and receives it, because the committee can not. *2 Hats., 125, 126.*

NOTE.—See Senate Rule XXVIII.

In a Committee of the Whole, the tellers on a division differing as to numbers, great heats and confusion arose, and danger of a decision by the sword. The Speaker took the chair, the mace was forcibly laid on the table; whereupon the members retiring to their places, the Speaker told the House "he had taken the chair without an order, to bring the House into order." Some excepted against it; but it was generally approved as the only expedient to suppress the disorder. And every member was required, standing up in his place, to engage that he would proceed no further in consequence of what had happened in the grand committee, which was done. *3 Grey, 128.*

A Committee of the Whole being broken up in disorder, and the chair resumed by the Speaker without an order, the House was adjourned. The next day the committee was considered as thereby dissolved, and the subject again before the House; and it was decided in the House without returning into committee. *3 Grey, 130.*

No previous question can be put in a committee; nor can this committee adjourn as others may; but if their business is unfinished, they rise, on a question, the House is resumed, and the chairman reports that the Committee of the Whole have, according to order, had under their consideration such a matter, and have made progress therein; but not having had time to go through the same, have directed him to ask leave to sit again. Whereupon a question is put on their having leave, and on the time the House will again resolve itself into a committee. *Scob., 38.* But if they have gone through the matter referred to them, a member moves that the committee may rise, and the chairman report their proceedings to the House; which being resolved, the chairman rises, the Speaker resumes the chair, the chairman informs him that the committee have gone through the business referred to them, and that he is ready to make report when the House shall think proper to receive it. If the House have time to receive it, there is usually a cry of "Now, now," whereupon he makes the report; but if it be late, the cry is "To-morrow,

to-morrow," or "Monday," etc., or a motion is made to that effect, and a question put that it be received to-morrow, etc. *Scob.*, *38*.

In other things the rules of proceeding are to be the same as in the House. *Scob.*, *39*.

SEC. XIII. EXAMINATION OF WITNESSES.

Common fame is a good ground for the House to proceed by inquiry, and even to accusation. *Resolution House of Commons*, *1 Car.*, *1*, *1625*; *Rush, L. Parl.*, *115*; *1 Grey*, *16–22*, *92*; *8 Grey*, *21*, *23*, *27*, *45*.

Witnesses are not to be produced but where the House has previously instituted an inquiry (*2 Hats.*, *102*), nor then are orders for their attendance given blank. *3 Grey 51*.

When any person is examined before a committee, or at the bar of the House, any member wishing to ask the person a question, must address it to the Speaker or chairman, who repeats the question to the person, or says to him, "You hear the question—answer it." But if the propriety of the question be objected to, the Speaker directs the witness, counsel, and parties to withdraw; for no question can be moved or put or debated while they are there. *2 Hats.*, *108*. Sometimes the questions are previously settled in writing before the witness enters. *Ib.*, *106*, *107*; *8 Grey*, *64*. The questions asked must be entered in the journals. *3 Grey*, *81*. But the testimony given in answer before the House is never written down; but before a committee it must be, for the information of the House, who are not present to hear it. *7 Grey*, *52*, *334*.

If either House have occasion for the presence of a person in custody of the other, they ask the other their leave that he may be brought up to them in custody. *3 Hats.*, *52*.

A member, in his place, gives information to the House of what he knows of any matter under hearing at the bar. *Jour. H. of C.*, *Jan. 22*, *1744–45*.

Either House may request, but not command, the attendance of a member of the other. They are to make the request by message of the other House, and to express clearly the purpose of attendance, that no improper subject of examination may be tendered to him. The House then gives leave to the member to attend if he choose it; waiting first to know from the member himself whether he chooses to attend, till which they do not take the message into consideration. But when the peers are sitting as a court of criminal judicature they may order attendance, unless where it be a case of impeachment by the Commons. There, it is to be a request. *3 Hats., 17; 9 Grey, 306, 406; 10 Grey, 133.*

Counsel are to be heard only on private, not on public bills, and on such points of law only as the House shall direct. *10 Grey, 61.*

SEC. XIV. ARRANGEMENT OF BUSINESS.

The Speaker is not precisely bound to any rules as to what bills or other matter shall be first taken up; but it is left to his own discretion, unless the House on a question decide to take up a particular subject. *Hakew., 136.*

A settled order of business is, however, necessary for the government of the presiding person and to restrain individual members from calling up favorite measures, or matters under their special patronage out of their just turn. It is useful also for directing the discretion of the House, when they are moved to take up a particular matter to the prejudice of others having priority of right to their attention in the general order of business.

In the Senate the bills and other papers which are in possession of the House, and in a state to be acted on, are arranged every morning and brought on in the following order:

1. Bills ready for a second reading are read, that they may be referred to committees, and so be put under way. But if, on

their being read, no motion is made for commitment, they are then laid on the table in the general file, to be taken up in their just turn.

2. After 12 o'clock, bills ready for it are put on their passage.

3. Reports in possession of the House which offer grounds for a bill are to be taken up, that the bill may be ordered in.

4. Bills or other matters before the House, and unfinished on the preceding day, whether taken up in turn or on special order, are entitled to be resumed and passed on through their present stage.

5. These matters being dispatched, for preparing and expediting business the general file of bills and other papers is then taken up, and each article of it is brought on according to its seniority, reckoned by the date of its first introduction to the House. Reports on bills belong to the dates of their bills.

The arrangement of the business of the Senate is now as follows:*

1. Motions previously submitted.

2. Reports of committees previously made.

3. Bills from the House of Representatives, and those introduced on leave, which have been read the first time, are read the second time; and if not referred to a committee, are considered in Committee of the Whole, and proceeded with as in other cases.

4. After 12 o'clock, engrossed bills of the Senate and bills of the House of Representatives on third reading are put on their passage.

5. If the above are finished before 1 o'clock, the general file of bills, consisting of those reported from committees on the second reading and those reported from committees after having been referred, are taken up in the order in which they were reported to the Senate by the respective committees.

6. At 1 o'clock, if no business be pending or if no motion be made to proceed to other business, the special orders are called,

* This arrangement is changed by Senate Rules VII, VIII, and IX.

at the head of which stands the unfinished business of the preceding day.

In this way we do not waste our time in debating what shall be taken up. We do one thing at a time; follow up a subject while it is fresh, and till it is done with; clear the House of business gradatim as it is brought on, and prevent, to a certain degree, its immense accumulation toward the close of the session.

Arrangement, however, can only take hold of matters in possession of the House. New matter may be moved at any time when no question is before the House. Such are original motions and reports on bills. Such are bills from the other House, which are received at all times, and receive their first reading as soon as the question then before the House is disposed of; and bills brought in on leave, which are read first whenever presented. So messages from the other House respecting amendments to bills are taken up as soon as the House is clear of a question, unless they require to be printed, for better consideration. Orders of the day may be called for, even when another question is before the House.

SEC. XV. ORDER.

Each House may determine the rules of its proceedings; punish its members for disorderly behavior; and, with the concurrence of two-thirds, expel a member. *Constitution, I, 5.*

In Parliament, "instances make order," per Speaker Onslow. *2 Hats., 141.* "But what is done only by one Parliament, can not be called custom of Parliament," by Prynne. *1 Grey, 52.*

SEC. XVI. ORDER RESPECTING PAPERS.

The Clerk is to let no journals, records, accounts, or papers be taken from the table or out of his custody. *2 Hats., 193, 194.*

Mr. Prynne, having in Committee of the Whole amended a mistake in a bill without order or knowledge of the committee, was reprimanded. *I Chand., 77.*

A bill being missing, the House resolved that a protestation should be made and subscribed by the members "before Almighty God, and this honorable House, that neither myself nor any other to my knowledge have taken away, or do at this present conceal a bill entitled," etc. *5 Grey, 202.*

After a bill is engrossed, it is put into the Speaker's hands, and he is not to let anyone have it to look into. *Town., col. 209.*

NOTE.—See Senate Rule XXX.

SEC. XVII. ORDER IN DEBATE.

When the Speaker is seated in his chair, every member is to sit in his place. *Scob., 6; Grey, 403.*

When any member means to speak, he is to stand up in his place, uncovered, and to address himself, not to the House, or any particular member, but to the Speaker, who calls him by his name, that the House may take notice who it is that speaks. *Scob. 6; D'Ewes, 487, col. 1; 2 Hats., 77; 4 Grey, 66; 8 Grey, 108.* But members who are indisposed may be indulged to speak sitting. *2 Hats., 75, 77; 1 Grey, 143.*

NOTE.—See Senate Rule XIX.

When a member stands up to speak, no question is to be put, but he is to be heard unless the House overrule him. *4 Grey, 390; 5 Grey, 6, 143.*

If two or more rise to speak nearly together, the Speaker determines who was first up, and calls him by name, whereupon he proceeds, unless he voluntarily sits down and gives way to the other. But sometimes the House does not acquiesce in the Speaker's decision, in which case the question is put, "Which member was first up?"* *2 Hats., 76; Scob., 7; D'Ewes, 434, col. 1, 2.*

In the Senate of the United States the President's decision is without appeal.

No man may speak more than once on the same bill on the same day; or even on another day, if the debate be adjourned.

*See Senate Rule XIX, clause 1, for present practice in the Senate.

But if it be read more than once in the same day, he may speak once at every reading. *Co., 12, 115; Hakew., 148; Scob., 58; 2 Hats., 75.* Even a change of opinion does not give a right to be heard a second time. *Smyth's Comw. L., 2, c. 3; Arcan. Parl., 17.*

But he may be permitted to speak again to clear a matter of fact (*3 Grey, 357, 416*), or merely to explain himself (*2 Hats., 73*) in some material part of his speech (*Ib., 75*), or to the manner or words of the question, keeping himself to that only, and not traveling into the merits of it (*Memorials in Hakew., 29*), or to the orders of the House, if they be transgressed, keeping within that line, and not falling into the matter itself (*Mem. Hakew., 30, 31*).

But if the Speaker rise to speak, the member standing up ought to sit down, that he may be first heard. *Town., col. 205; Hale Parl., 133; Mem. in Hakew., 30, 31.* Nevertheless, though the Speaker may of right speak to matters of order, and be first heard, he is restrained from speaking on any other subject, except where the House have occasion for facts within his knowledge; then he may, with their leave, state the matter of fact. *3 Grey, 38.*

No one is to speak impertinently or beside the question, superfluously, or tediously. *Scob., 31, 33; 2 Hats., 166, 168; Hale Parl., 133.*

No person is to use indecent language against the proceedings of the House; no prior determination of which is to be reflected on by any member, unless he means to conclude with a motion to rescind it. *2 Hats., 169, 170; Rushw., p. 3, v. 1, fol. 42.* But while a proposition under consideration is still *in fieri*, though it has even been reported by a committee, reflections on it are no reflections on the House. *9 Grey, 508.*

No person, in speaking, is to mention a member then present by his name, but to describe him by his seat in the House, or who spoke last, or on the other side of the question, etc. (*Mem. in Hakew., 3; Smyth's Comw. L., 2, c. 3*); nor to digress from the

matter to fall upon the person (*Scob., 31; Hale Parl., 133; 2 Hats., 166*) by speaking, reviling, nipping, or unmannerly words against a particular member. *Smyth's Comw. L., 2, c. 3.* The consequences of a measure may be reprobated in strong terms, but to arraign the motives of those who propose to advocate it is a personality, and against order. *Qui digreditur a materia ad personam*, Mr. Speaker ought to suppress. *Ord. Com., 1604, Apr. 19.*

No one is to disturb another in his speech by hissing, coughing, spitting (*6 Grey, 332; Scob., 8; D'Ewes, 332, col. 1, 640, col. 2*), speaking or whispering to another (*Scob., 6; D'Ewes, 487, col. 1*), nor stand up to interrupt him (*Town., col. 205; Mem. in Hakew., 31*); nor to pass between the Speaker and the speaking member, nor to go across the House (*Scob., 6*), or to walk up and down it, or to take books or papers from the table, or write there (*2 Hats., 171*).

Nevertheless, if a member finds that it is not the inclination of the House to hear him, and that by conversation or any other noise they endeavor to drown his voice, it is his most prudent way to submit to the pleasure of the House, and sit down; for it scarcely ever happens that they are guilty of this piece of ill manners without sufficient reason, or inattentive to a member who says anything worth their hearing. *2 Hats., 77, 78.*

If repeated calls do not produce order, the Speaker may call by his name any member obstinately persisting in irregularity; whereupon the House may require the member to withdraw. He is then to be heard in exculpation, and to withdraw. Then the Speaker states the offense committed, and the House considers the degree of punishment they will inflict. *2 Hats., 167, 7, 8, 172.*

For instances of assaults and affrays in the House of Commons, and the proceedings thereon, see *1 Pet. Misc., 82; 3 Grey, 128; 4 Grey, 328; 5 Grey, 382; 6 Grey, 254; 10 Grey, 8.* Whenever warm words or an assault have passed between members, the House, for the protection of their members,

requires them to declare in their places not to prosecute any quarrel (*3 Grey, 128, 293; 5 Grey, 280*), or orders them to attend the Speaker, who is to accommodate their differences, and report to the House (*3 Grey, 419*); and they are put under restraint if they refuse, or until they do (*9 Grey, 234, 312*).

Disorderly words are not to be noticed till the member has finished his speech. *5 Grey, 356; 6 Grey, 60.* Then the person objecting to them, and desiring them to be taken down by the Clerk at the table, must repeat them. The Speaker then may direct the Clerk to take them down in his minutes; but if he thinks them not disorderly, he delays the direction. If the call becomes pretty general, he orders the Clerk to take them down, as stated by the objecting member. They are then a part of his minutes, and when read to the offending member, he may deny they were his words, and the House must then decide by a question whether they are his words or not. Then the member may justify them, or explain the sense in which he used them, or apologize. If the House is satisfied, no further proceeding is necessary. But if two members still insist to take the sense of the House, the member must withdraw before that question is stated, and then the sense of the House is to be taken. *2 Hats., 199; 4 Grey, 170; 6 Grey, 59.* When any member has spoken, or other business intervened, after offensive words spoken, they can not be taken notice of for censure. And this is for the common security of all, and to prevent mistakes which must happen if words are not taken down immediately. Formerly they might be taken down at any time the same day. *2 Hats., 196; Mem. in Hakew., 71; 3 Grey, 48; 9 Grey, 514.*

NOTE.—See Senate Rule XIX, clauses 2 and 3.

Disorderly words spoken in a committee must be written down as in the House, but the committee can only report them to the House for animadversion. *6 Grey, 46.*

In Parliament, to speak irreverently or seditiously against the King, is against order. *Smyth's Comw., L. 2, c. 3; 2 Hats., 170,*

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there, because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses. *8 Grey, 22.*

Neither House can exercise any authority over a member or officer of the other, but should complain to the House of which he is, and leave the punishment to them. Where the complaint is of words disrespectfully spoken by a member of another House, it is difficult to obtain punishment, because of the rules supposed necessary to be observed (as to the immediate noting down of words) for the security of members. Therefore it is the duty of the House, and more particularly of the Speaker, to interfere immediately, and not to permit expressions to go unnoticed which may give a ground of complaint to the other House and introduce proceedings and mutual accusations between the two Houses which can hardly be terminated without difficulty and disorder. *3 Hats., 51.*

No member may be present when a bill or any business concerning himself is debating; nor is any member to speak to the merits of it till he withdraws. *2 Hats., 219.* The rule is, that if a charge against a member arise out of a report of a committee, or examination of witnesses in the House, as the member knows from that to what points he is to direct his exculpation, he may be heard to those points before any question is moved or stated against him. He is then to be heard, and withdraw before any question is moved. But if the question itself is the charge, as for breach of order or matter arising in the debate, then the charge must be stated (that is, the question must be moved), himself heard, and then to withdraw. *2 Hats., 121, 122.*

Where the private interests of a member are concerned in a bill or question he is to withdraw. And where such an interest

has appeared, his voice has been disallowed, even after a division. In a case so contrary, not only to the laws of decency, but to the fundamental principle of the social compact, which denies to any man to be a judge in his own cause, it is for the honor of the House that this rule of immemorial observance should be strictly adhered to. *2 Hats., 119, 121; 6 Grey, 368.*

NOTE.—See Senate Rule XII.

No member is to come into the House with his head covered, nor to remove from one place to another with his hat on, nor is to put on his hat in coming in or removing, until he be set down in his place. *Scob., 6.*

A question of order may be adjourned to give time to look into precedents. *2 Hats., 118.*

In Parliament all decisions of the Speaker may be controlled by the House. *3 Grey, 319.*

SEC. XVIII. ORDERS OF THE HOUSE.

Of right, the door of the House ought not to be shut, but to be kept by porters, or sergeants-at-arms, assigned for that purpose. *Mod. ten. Parl., 23.*

NOTE.—See Senate Rule XXXV.

The only case where a member has a right to insist on anything is where he calls for the execution of a subsisting order of the House. Here, there having been already a resolution, any person has a right to insist that the Speaker, or any other whose duty it is, shall carry it into execution; and no debate or delay can be had on it. Thus any member has a right to have the House or gallery cleared of strangers, an order existing for that purpose, or to have the House told when there is not a quorum present. *2 Hats., 87, 129.* How far an order of the House is binding, see *Hakew., 392.*

But where an order is made that any particular matter be taken up on a particular day, there a question is to be put, when it is called for, whether the House will now proceed to that matter. Where orders of the day are on important or interest-

ing matter, they ought not to be proceeded on till an hour at which the House is usually full.

NOTE.—See Senate Rule X.

Orders of the day may be discharged at any time, and a new one made for a different day. *3 Grey, 48, 313.*

When a session is drawing to a close, and the important bills are all brought in, the House, in order to prevent interruption by further unimportant bills, sometimes comes to a resolution that no new bill be brought in, except it be sent from the other House. *3 Grey, 156.*

All orders of the House determine with the session; and one taken under such an order may, after the session is ended, be discharged on a habeas corpus. *Raym., 120; Jacob's L. D. by Ruffhead; Parliament, 1 Lev., 165, Pitchard's Case.*

Where the Constitution authorizes each House to determine the rules of its proceedings, it must mean in those cases (legislative, executive, or judiciary) submitted to them by the Constitution, or in something relating to these, and necessary toward their execution. But orders and resolutions are sometimes entered in the journals having no relation to these, such as acceptances of invitations to attend orations, to take part in processions, etc. These must be understood to be merely conventional among those who are willing to participate in the ceremony, and are therefore, perhaps, improperly placed among the records of the House.

SEC. XIX. PETITION.

A petition prays something. A remonstrance has no prayer. *1 Grey, 58.*

Petitions must be subscribed by the petitioners (*Scob., 87; L. Parl., c. 22; 9 Grey, 362*), unless they are attending (*1 Grey, 401*), or unable to sign, and averred by a member (*3 Grey, 418*). But a petition not subscribed, but which the member presenting it affirmed to be all in the handwriting of the petitioner, and his name written in the beginning, was on the question (March 14,

1800) received by the Senate. The averment of a member, or of somebody without doors, that they know the handwriting of the petitioners is necessary, if it be questioned. *6 Grey, 36.* It must be presented by a member—not by the petitioners—and must be opened by him, holding it in his hand. *10 Grey, 57.*

NOTE.—See Senate Rule VII, clauses 3, 4.

Regularly, a motion for receiving it must be made and seconded, and a question put, whether it shall be received. But a cry from the House of "received," or even its silence, dispenses with the formality of this question. It is then to be read at the table and disposed of.

SEC. XX. MOTIONS.

When a motion has been made, it is not to be put to the question or debated until it is seconded. *Scob., 21.*

It is then, and not till then, in possession of the House, and can not be withdrawn but by leave of the House. It is to be put into writing, if the House or Speaker require it, and must be read to the House by the Speaker as often as any member desires it for his information. *2 Hats., 82.*

NOTE.—See Senate Rule XXI.

It might be asked whether a motion for adjournment or for the orders of the day can be made by one member while another is speaking. It can not. When two members offer to speak, he who rose first is to be heard, and it is a breach of order in another to interrupt him, unless by calling him to order if he departs from it. And the question of order being decided, he is still to be heard through. A call for adjournment, or for the order of the day, or for the question, by gentlemen from their seats, is not a motion. No motion can be made without rising and addressing the Chair. Such calls are themselves breaches of order, which, though the member who has risen may respect as an expression of impatience of the House against further debate, yet, if he chooses, he has a right to go on.

SEC. XXI. RESOLUTIONS.

When the House commands, it is by an "order." But fact, principles, and their own opinions and purposes are expressed in the form of resolutions.

A resolution for an allowance of money to the clerks being moved, it was objected to as not in order, and so ruled by the Chair; but on appeal to the Senate, i. e., a call for their sense by the President, on account of doubt in his mind, according to Rule XX, clause 2, the decision was overruled. *Jour. Senate, June 1, 1796.* I presume the doubt was whether an allowance of money could be made otherwise than by bill.

SEC. XXII. BILLS.

Every bill shall receive three readings previous to its being passed, and the President shall give notice at each whether it be first, second, or third, which readings shall be on three different days, unless the Senate unanimously direct otherwise.

NOTE.—See Senate Rule XIV, clause 2.

SEC. XXIII. BILLS, LEAVE TO BRING IN.

When a member desires to bring in a bill on any subject, he states to the House in general terms the causes for doing it, and concludes by moving for leave to bring in a bill, entitled, etc. Leave being given on the question, a committee is appointed to prepare and bring in the bill. The mover and seconder are always appointed of this committee, and one or more in addition. *Hakew., 132; Scob., 40.* It is to be presented fairly written, without any erasure or interlineation, or the Speaker may refuse it. *Scob., 41; 1 Grey, 82, 84.*

NOTE.—See Senate Rule XIV, clause 1.

SEC. XXIV. BILLS, FIRST READING.

When a bill is first presented, the Clerk reads it at the table and hands it to the Speaker, who, rising, states to the House

the title of the bill, that this is the first time of reading it, and the question will be whether it shall be read a second time, then sitting down to give an opening for objections. If none be made, he rises again and puts the question whether it shall be read a second time. *Hakew., 137, 141.* A bill can not be amended on the first reading (*6 Grey, 286*) nor is it usual for it to be opposed then, but it may be done, and rejected. *D'Ewes, 335, col. 1; 3 Hats., 198.*

SEC. XXV. BILLS, SECOND READING.

The second reading must regularly be on another day. *Hakew., 143.* It is done by the Clerk at the table, who then hands it to the Speaker. The Speaker, rising, states to the House the title of the bill; that this is the second time of reading it; and that the question will be whether it shall be committed, or engrossed and read a third time. But if the bill came from the other House, as it always comes engrossed, he states that the question will be whether it shall be read a third time; and before he has so reported the state of the bill no one is to speak to it. *Hakew., 143, 146.*

NOTE.—See Senate Rule XIV, clause 3.

In the Senate of the United States, the President reports the title of the bill; that this is the second time of reading it; that it is now to be considered as in a Committee of the Whole; and the question will be whether it shall be read a third time, or that it may be referred to a special committee.

NOTE.—See Senate Rule XIV, clauses 3-5.

SEC. XXVI. BILLS, COMMITMENT.

If on motion and question it be decided that the bill shall be committed, it may then be moved to be referred to Committee of the Whole House, or to a special committee. If the latter, the Speaker proceeds to name the committee. Any member also may name a single person, and the Clerk is to write him down as of the committee. But the House have a controlling power over the names and number, if a question be moved

against any one; and may in any case put in and put out whom they please.

NOTE.—See Senate Rule XV, clause 1, and XXVI, clause 1.

Those who take exceptions to some particulars in the bill are to be of the committee, but none who speak directly against the body of the bill; for he that would totally destroy will not amend it (*Hakew., 146; Town., col. 208; D'Ewes, 634, col. 2; Scob., 47*); or, as is said (*5 Grey, 145*), the child is not to be put to a nurse that cares not for it (*6 Grey, 373*). It is therefore a constant rule "that no man is to be employed in any matter who has declared himself against it." And when any member who is against the bill hears himself named of its committee, he ought to ask to be excused. Thus, March 7, 1606, Mr. Hadley was, on the question being put, excused from being of a committee, declaring himself to be against the matter itself. *Scob., 46.*

The Clerk may deliver the bill to any member of the committee (*Town., col. 138*), but it is usual to deliver it to him who is first named.

In some cases the House has ordered a committee to withdraw immediately into the committee chamber, and act on and bring back the bill, sitting the House. *Scob., 48.* A committee meet when and where they please, if the House has not ordered time and place for them (*6 Grey, 370*), but they can only act when together, and not by separate consultation and consent—nothing being the report of the committee but what has been agreed to in committee actually assembled.

A majority of the committee constitutes a quorum for business. *Elsynge's Method of Passing Bills, 11.*

Any member of the House may be present at any select committee, but can not vote, and must give place to all of the committee, and sit below them. *Elsynge, 12; Scob., 49.*

The committee have full power over the bill or other paper committed to them, except that they can not change the title or subject. *8 Grey, 228.*

The paper before a committee, whether select or of the whole,

may be a bill, resolutions, draft of an address, etc., and it may either originate with them or be referred to them. In every case the whole paper is read, first by the clerk and then by the chairman, by paragraphs (*Scob.*, *49*), pausing at the end of each paragraph, and putting questions for amending, if proposed. In the case of resolutions on distinct subjects, originating with themselves, a question is put on each separately, as amended or unamended, and no final question on the whole (*3 Hats.*, *276*), but if they relate to the same subject a question is put on the whole. If it be a bill, draft of an address, or other paper originating with them, they proceed by paragraphs, putting questions for amending, either by insertion or striking out, if proposed; but no question on agreeing to the paragraphs separately. This is reserved to the close, when a question is put on the whole, for agreeing to it as amended or unamended. But if it be a paper referred to them they proceed to put questions of amendment, if proposed, but no final question on the whole; because all parts of the paper, having been adopted by the House, stand, of course, unless altered or struck out by a vote. Even if they are opposed to the whole paper, and think it can not be made good by amendments, they can not reject it, but must report it back to the House without amendments, and there make their opposition.

The natural order in considering and amending any paper is to begin at the beginning, and proceed through it by paragraphs; and this order is so strictly adhered to in Parliament that, when a latter part has been amended, you can not recur back and make any alteration in a former part. *2 Hats.*, *90*. In numerous assemblies this restraint is doubtless important, but in the Senate of the United States, though in the main we consider and amend the paragraphs in their natural order, recurrences are indulged; and they seem, on the whole, in that small body, to produce advantages overweighing their inconveniences.

To this natural order of beginning at the beginning there is a single exception found in parliamentary usage. When a bill

is taken up in committee, or on its second reading, they postpone the preamble till the other parts of the bill are gone through. The reason is, that on consideration of the body of the bill such alterations may therein be made as may also occasion the alteration of the preamble. *Scob., 50; 7 Grey, 431.*

On this head the following case occurred in the Senate, March 6, 1800: A resolution which had no preamble having been already amended by the House so that a few words only of the original remained in it, a motion was made to prefix a preamble, which having an aspect very different from the resolution, the mover intimated that he should afterwards propose a correspondent amendment in the body of the resolution. It was objected that a preamble could not be taken up till the body of the resolution is done with; but the preamble was received, because we are in fact through the body of the resolution; we have amended that as far as amendments have been offered, and, indeed, till little of the original is left. It is the proper time, therefore, to consider a preamble; and whether the one offered be consistent with the resolution is for the House to determine. The mover, indeed, has intimated that he shall offer a subsequent proposition for the body of the resolution; but the House is not in possession of it; it remains in his breast, and may be withheld. The rules of the House can only operate on what is before them. The practice of the Senate, too, allows recurrences backward and forward for the purpose of amendment, not permitting amendments in a subsequent to preclude those in a prior part, or *e converso.*

NOTE.—See Senate Rule XXIII.

When the committee is through the whole, a member moves that the committee may rise and the chairman report the paper to the House, with or without amendments, as the case may be. *2 Hats., 289, 292; Scob., 53; 2 Hats., 290; 8 Scob., 50.*

When a vote is once passed in a committee, it can not be altered but by the House, their votes being binding on themselves. *1607, June 4.*

The committee may not erase, interline, or blot the bill itself; but must, in a paper by itself, set down the amendments, stating the words which are to be inserted or omitted (*Scob.*, *50*), and where, by references to page, line, and word of the bill (*Scob.*, *50*).

SEC. XXVII. REPORT OF COMMITTEE.

The chairman of the committee, standing in his place, informs the House that the committee to whom was referred such a bill have, according to order, had the same under consideration, and have directed him to report the same without any amendment, or with sundry amendments (as the case may be), which he is ready to do when the House pleases to receive it. And he or any other may move that it be now received; but the cry of "Now, now," from the House generally dispenses with the formality of a motion and question. He then reads the amendments, with the coherence in the bill, and opens the alterations and the reasons of the committee for such amendments, until he has gone through the whole. He then delivers it at the Clerk's table, where the amendments reported are read by the Clerk without the coherence; whereupon the papers lie upon the table till the House, at its convenience, shall take up the report. *Scob.*, *52; Hakew.*, *148.*

NOTE.—See Senate Rule XXVI, clause 2.

The report being made, the committee is dissolved, and can act no more without a new power. *Scob.*, *51.* But it may be revived by a vote, and the same matter recommitted to them. *4 Grey*, *361.*

SEC. XXVIII. BILL, RECOMMITMENT.

After a bill has been committed and reported, it ought not, in an ordinary course, to be recommitted; but in cases of importance, and for special reasons, it is sometimes recommitted, and usually to the same committee. *Hakew.*, *151.* If a report be recommitted before agreed to in the House, what has passed in committee is of no validity; the whole question is again before

the committee, and a new resolution must be again moved, as if nothing had passed. *3 Hats., 131—note.*

In Senate, January, 1800, the salvage bill was recommitted three times after the commitment.

A particular clause of a bill may be committed without the whole bill (*3 Hats., 131*); or so much of a paper to one and so much to another committee.

SEC. XXIX. BILL, REPORTS TAKEN UP.

When the report of a paper originating with a committee is taken up by the House, they proceed exactly as in committee. Here, as in committee, when the paragraphs have, on distinct questions, been agreed to *seriatim* (*5 Grey 366; 6 Grey, 368; 8 Grey, 47, 104, 360; 1 Torbuck's Deb., 125; 3 Hats., 348*), no question needs be put on the whole report (*5 Grey, 381*).

On taking up a bill reported with amendments, the amendments only are read by the Clerk. The Speaker then reads the first, and puts it to the question, and so on till the whole are adopted or rejected, before any other amendment be admitted, except it be an amendment to an amendment. *Elsynge's Mem., 53.* When through the amendments of the committee, the Speaker pauses, and gives time for amendments to be proposed in the House to the body of the bill, as he does also if it has been reported without amendments; putting no questions but on amendments proposed; and when through the whole, he puts the question whether the bill shall be read a third time.

SEC. XXX. QUASI-COMMITTEE.

If on motion and question the bill be not committed, or if no proposition for commitment be made, then the proceedings in the Senate of the United States and in Parliament are totally different. The former shall be first stated.

NOTE.—See Senate Rule XV, clauses 1, 2.

The proceeding of the Senate as in a Committee of the Whole, or in quasi-committee, is precisely as in a real Committee of the

Whole, taking no questions but on amendments. When through the whole, they consider the quasi-committee as risen, the House resumed without any motion, question, or resolution to that effect, and the President reports that "the House, acting as in a Committee of the Whole, have had under their consideration the bill entitled, etc., and have made sundry amendments, which he will now report to the House." The bill is then before them, as it would have been if reported from a committee, and the questions are regularly to be put again on every amendment; which being gone through, the President pauses to give time to the House to propose amendments to the body of the bill, and, when through, puts the question whether it shall be read a third time.

After progress in amending the bill in quasi-committee, a motion may be made to refer it to a special committee. If the motion prevails, it is equivalent in effect to the several votes that the committee rise, the House resume itself, discharge the Committee of the Whole, and refer the bill to a special committee. In that case, the amendments already made fall. But if the motion fails, the quasi-committee stands *in statu quo.*

How far does this XVth rule subject the House, when in quasi-committee, to the laws which regulate the proceedings of Committees of the Whole? The particulars in which these differ from proceedings in the House are the following: 1. In a committee every member may speak as often as he pleases. 2. The votes of a committee may be rejected or altered when reported to the House. 3. A committee, even of the whole, can not refer any matter to another committee. 4. In a committee no previous question can be taken; the only means to avoid an improper discussion is to move that the committee rise; and if it be apprehended that the same discussion will be attempted on returning into committee, the House can discharge them, and proceed itself on the business, keeping down the improper discussion by the previous question. 5. A committee can not punish a breach of order in the House or in the gallery. *9 Grey, 113.*

It can only rise and report it to the House, who may proceed to punish. The first and second of these peculiarities attach to the quasi-committee of the Senate, as every day's practice proves, and it seems to be the only ones to which the XXVth rule meant to subject them; for it continues to be a House, and, therefore, though it acts in some respects as a committee, in others it preserves its character as a House. Thus (3) it is in the daily habit of referring its business to a special committee. 4. It admits of the previous question. If it did not, it would have no means of preventing an improper discussion; not being able, as a committee is, to avoid it by returning into the House, for the moment it would resume the same subject there the XXVth rule declares it again a quasi-committee. 5. It would doubtless exercise its powers as a House on any breach of order. 6. It takes a question by yea and nay, as the House does. 7. It receives messages from the President and the other House. 8. In the midst of a debate it receives a motion to adjourn, and adjourns as a House, not as a committee.

SEC. XXXI. BILL, SECOND READING IN THE HOUSE.

In Parliament, after the bill has been read a second time, if on the motion and question it be not committed, or if no proposition for commitment be made, the Speaker reads it by paragraphs, pausing between each, but putting no question but on amendments proposed; and when through the whole, he puts the question whether it shall be read a third time, if it came from the other House; or, if originating with themselves, whether it shall be engrossed and read a third time. The Speaker reads sitting, but rises to put questions. The Clerk stands while he reads.

*But the Senate of the United States is so much in the habit

*Under the present rules of the Senate (Rule XV, clause 2) no measure can be amended after it has been ordered to be read a third time, unless by unanimous consent, but as matter of fact the engrossment is not made until the measure has finally passed.

of making many and material amendments at the third reading that it has become the practice not to engross a bill till it has passed—an irregular and dangerous practice, because in this way the paper which passes the Senate is not that which goes to the other House, and that which goes to the other House as the act of the Senate, has never been seen in Senate. In reducing numerous, difficult, and illegible amendments into the text, the Secretary may, with the most innocent intentions, commit errors which can never again be corrected.

The bill being now as perfect as its friends can make it, this is the proper stage for those fundamentally opposed to make their first attack. All attempts at earlier periods are with disjointed efforts, because many who do not expect to be in favor of the bill ultimately are willing to let it go on to its perfect state, to take time to examine it themselves and to hear what can be said for it, knowing that after all they will have sufficient opportunities of giving it their veto. Its two last stages, therefore, are reserved for this—that is to say, on the question whether it shall be engrossed and read a third time; and, lastly, whether it shall pass. The first of these is usually the most interesting contest, because then the whole subject is new and engaging, and the minds of the members having not yet been declared by any trying vote the issue is the more doubtful. In this stage, therefore, is the main trial of strength between its friends and opponents, and it behooves everyone to make up his mind decisively for this question, or he loses the main battle; and accident and management may, and often do, prevent a successful rallying on the next and last question, whether it shall pass.

When the bill is engrossed, the title is to be indorsed on the back, and not within the bill. *Hakew.*, *250*,

SEC. XXXII. READING PAPERS.

Where papers are laid before the House or referred to a committee, every member has a right to have them once read at the

table before he can be compelled to vote on them; but it is a great though common error to suppose that he has a right, *toties quoties*, to have acts, journals, accounts, or papers on the table read independently of the will of the House. The delay and interruption which this might be made to produce evince the impossibility of the existence of such a right. There is, indeed, so manifest a propriety of permitting every member to have as much information as possible on every question on which he is to vote that when he desires the reading, if it be seen that it is really for information and not for delay, the Speaker directs it to be read without putting a question, if no one objects; but if objected to a question must be put. *2 Hats., 117, 118.*

NOTE.—See Senate Rule XI.

It is equally an error to suppose that any member has a right, without a question put, to lay a book or paper on the table, and have it read, on suggesting that it contains matter infringing on the privileges of the House. *Ib.*

For the same reason, a member has not a right to read a paper in his place, if it be objected to, without leave of the House. But this rigor is never exercised but where there is an intentional or gross abuse of the time and patience of the House.

A member has not a right even to read his own speech, committed to writing, without leave. This also is to prevent an abuse of time, and therefore is not refused but where that is intended. *2 Grey, 227.*

A report of a committee of the Senate on a bill from the House of Representatives being under consideration: On motion that the report of the committee of the House of Representatives on the same bill be read in the Senate, it passed in the negative. *Feb. 28, 1793.*

Formerly, when papers were referred to a committee, they used to be first read, but of late only the titles, unless a member insists they shall be read, and then nobody can oppose it. *2 Hats., 117.*

SEC. XXXIII. PRIVILEGED QUESTIONS.

It is no possession of a bill unless it be delivered to the Clerk to read, or the Speaker reads the title.—*Lex Parl., 274; Elysynge Mem., 85; Ord. House of Commons, 64.*

It is a general rule that the question first moved and seconded shall be first put. *Scob., 22, 28; 2 Hats., 81.* But this rule gives way to what may be called privileged questions, and the privileged questions are of different grades among themselves.

A motion to adjourn simply takes place of all others, for otherwise the House might be kept sitting against its will and indefinitely. Yet this motion can not be received after another question is actually put and while the House is engaged in voting.

NOTE.—See Senate Rules IX and XXII.

Orders of the day take place of all other questions, except for adjournment—that is to say, the question which is the subject of an order is made a privileged one, *pro hac vice.* The order is a repeal of the general rule as to this special case. When any member moves, therefore, for the order of the day to be read, no further debate is permitted on the question which was before the House; for if the debate might proceed, it might continue through the day and defeat the order. This motion, to entitle it to precedence, must be for the orders generally, and not for any particular one; and if it be carried on the question, "Whether the House will now proceed to the orders of the day?" they must be read and proceeded on in the course in which they stand, *2 Hats., 83;* for priority of order gives priority of right, which can not be taken away but by another special order.

NOTE.—See Senate Rule X.

After these there are other privileged questions, which will require considerable explanation.

It is proper that every parliamentary assembly should have certain forms of questions, so adapted as to enable them fitly to dispose of every proposition which can be made to them. Such are: 1. The previous question. 2. To postpone indefinitely,

3. To adjourn a question to a definite day. 4. To lie on the table. 5. To commit. 6. To amend. The proper occasion for each of these questions should be understood.

1. When a proposition is moved which it is useless or inexpedient now to express or discuss, the previous question has been introduced for suppressing for that time the motion and its discussion. *3 Hats., 188, 189.*

2. But as the previous question gets rid of it only for that day, and the same proposition may recur the next day, if they wish to suppress it for the whole of that session, they postpone it indefinitely. *3 Hats., 183.* This quashes the proposition for that session, as an indefinite adjournment is a dissolution, or the continuance of a suit *sine die* is a discontinuance of it.

3. When a motion is made which it will be proper to act on, but information is wanted, or something more pressing claims the present time, the question or debate is adjourned to such day within the session as will answer the views of the House. *2 Hats., 81.* And those who have spoken before may not speak again when the adjourned debate is resumed. *2 Hats., 73.* Sometimes, however, this has been abusively used by adjourning it to a day beyond the session, to get rid of it altogether, as would be done by an indefinite postponement.

4. When the House has something else which claims its present attention, but would be willing to reserve in their power to take up a proposition whenever it shall suit them, they order it to lie on their table. It may then be called for at any time.

NOTE.—See Senate Rule XXII.

5. If the proposition will want more amendment and digestion than the formalities of the House will conveniently admit, they refer it to a committee.

6. But if the proposition be well digested, and may need but few and simple amendments, and especially if these be of leading consequence, they then proceed to consider and amend it themselves.

The Senate, in their practice, vary from this regular gradation

of forms. Their practice comparatively with that of Parliament stands thus:

FOR THE PARLIAMENTARY:	THE SENATE USES:
Postponement indefinite.....	Postponement to a day beyond the session.
Adjournment	Postponement to a day within the session.
Lying on the table	Postponement indefinite. Lying on the table.

In their VIIIth rule (XXII), therefore, which declares that while a question is before the Senate no motion shall be received, unless it be for the previous question, or to postpone, commit, or amend the main question, the term postponement must be understood according to their broad use of it, and not in its parliamentary sense. Their rule, then, establishes as privileged questions, the previous question, postponement, commitment, and amendment.

But it may be asked, Have these questions any privilege among themselves; or, are they so equal that the common principle of the "first moved first put" takes place among them? This will need explanation. Their competitions may be as follows:

1. Previous question and postpone commit amend	In the first, second, and third classes, and the first member of the fourth class, the rule "first moved first put" takes place.
2. Postpone and previous question commit amend	
3. Commit and previous question postpone amend	
4. Amend and previous question postpone commit	

In the first class, where the previous question is first moved, the effect is peculiar; for it not only prevents the after motion to postpone or commit from being put to question before it, but also from being put after it; for if the previous question be decided affirmatively, to wit, that the main question shall *now* be put, it would of course be against the decision to postpone or commit; and if it be decided negatively, to wit, that the main question shall not now be put, this puts the House out of possession of the main question, and consequently there is nothing before them to postpone or commit. So that neither voting for nor against the previous question will enable the advocates for postponing or committing to get at their object. Whether it may be amended shall be examined hereafter.

Second class. If postponement be decided affirmatively, the proposition is removed from before the House, and consequently there is no ground for the previous question, commitment, or amendment; but if decided negatively (that it shall not be postponed) the main question may then be suppressed by the previous question, or may be committed or amended.

The third class is subject to the same observations as the second.

The fourth class. Amendment of the main question first moved, and afterwards the previous question, the question of amendment shall be first put.

Amendment and postponement competing, postponement is first put, as the equivalent proposition to adjourn the main question would be in Parliament. The reason is that the question for amendment is not suppressed by postponing or adjourning the main question, but remains before the House whenever the main question is resumed; and it might be that the occasion for other urgent business might go by, and be lost by length of debate on the amendment, if the House had it not in their power to postpone the whole subject.

Amendment and commitment. The question for committing, though last moved, shall be first put; because, in truth, it facili-

tates and befriends the motion to amend. Scobell is express: "On motion to amend a bill, any one may, notwithstanding, move to commit it, and the question for commitment shall be first put." *Scob., 46.*

We have hitherto considered the case of two or more of the privileged questions contending for privilege between themselves, when both are moved on the original or main question; but now let us suppose one of them to be moved, not on the original primary question, but on the secondary one, *e. g.:*

Suppose a motion to postpone, commit, or amend the main question, and that it be moved to suppress that motion by putting a previous question on it. This is not allowed; because it would embarrass questions too much to allow them to be piled on one another several stories high; and the same result may be had in a more simple way—by deciding against the postponement, commitment, or amendment. *2 Hats., 81, 2, 3, 4.*

Suppose a motion for the previous question, or commitment or amendment of the main question, and that it be then moved to postpone the motion for the previous question, or for commitment or amendment of the main question. 1. It would be absurd to postpone the previous question, commitment, or amendment alone, and thus separate the appendage from its principal; yet it must be postponed separately from its original, if at all; because the eighth rule of Senate says that when a main question is before the House, no motion shall be received but to commit, amend, or prequestion the original question, which is the parliamentary doctrine also. Therefore the motion to postpone the secondary motion for the previous question, or for committing or amending, cannot be received. 2. This is a piling of questions one on another; which, to avoid embarrassment, is not allowed. 3. The same result may be had more simply by voting against the previous question, commitment, or amendment.

Suppose a commitment moved of a motion for the previous

question, or to postpone or amend. The first, second, and third reasons, before stated, all hold good against this.

Suppose an amendment moved to a motion for the previous question. Answer: The previous question can not be amended. Parliamentary usage, as well as the IXth rule of the Senate, has fixed its form to be, "Shall the main question be now put?"—*i. e.*, at this instant; and as the present instant is but one, it can admit of no modification. To change it to to-morrow, or any other moment, is without example and without utility. But suppose a motion to amend a motion for postponement, as to one day instead of another, or to a special instead of a indefinite time. The useful character of amendment gives it a privilege of attaching itself to a secondary and privileged motion—that is, we may amend a postponement of a main question. So, we may amend a commitment of a main question, as by adding, for example, "with instructions to inquire," etc. In like manner, if an amendment be moved to an amendment, it is admitted; but it would not be admitted in another degree, to wit, to amend an amendment to an amendment of a main question. This would lead to too much embarrassment. The line must be drawn somewhere, and usage has drawn it after the amendment to the amendment. The same result must be sought by deciding against the amendment to the amendment, and then moving it again as it was wished to be amended. In this form it becomes only an amendment to an amendment.

NOTE.—See Senate Rule XXVI, clause 1.

[In filling a blank with a sum, the largest sum shall be first put to the question, by the XIIIth rule of the Senate,* contrary to the rule of Parliament, which privileges the smallest sum and longest time. *5 Grey, 179; 2 Hats., 8, 83; 3 Hats., 132, 133.*] And this is considered to be not in the form of an amendment to the question, but as alternative or successive originals. In all cases of time or number, we must consider whether the larger comprehends the lesser, as in a question to

* This rule was dropped in the last revision.

what day a postponement shall be, the number of a committee, amount of a fine, term of an imprisonment, term of irredeemability of a loan, or the terminus in quem in any other case; then the question must begin a maximo. Or whether the lesser includes the greater, as in questions on the limitation of the rate of interest, on what day the session shall be closed by adjournment, on what day the next shall commence, when an act shall commence, or the terminus a quo in any other case where the question must begin a minimo; the object being not to begin at that extreme which, and more, being within every man's wish, no one could negative it, and yet, if he should vote in the affirmative, every question for more would be precluded; but at that extreme which would unite few, and then to advance or recede till you get to a number which will unite a bare majority. *3 Grey, 376, 384, 385.* "The fair question in this case is not that to which, and more, all will agree, but whether there shall be addition to the question." *1 Grey, 365.*

Another exception to the rule of priority is when a motion has been made to strike out, or agree to, a paragraph. Motions to amend it are to be put to the question before a vote is taken on striking out or agreeing to the whole paragraph.

But there are several questions which, being incidental to every one, will take place of every one, privileged or not; to wit, a question of order arising out of any other question must be decided before that question. *2 Hats., 88.*

NOTE.—See Senate Rule XX.

A matter of privilege arising out of any question, or from a quarrel between two members, or any other cause, supersedes the consideration of the original question, and must be first disposed of. *2 Hats., 88.*

Reading papers relative to the question before the House. This question must be put before the principal one. *2 Hats., 88.*

Leave asked to withdraw a motion. The rule of Parliament being that a motion made and seconded is in the possession of the House, and can not be withdrawn without leave, the very

terms of the rule imply that leave may be given, and, consequently, may be asked and put to the question.

SEC. XXXIV. THE PREVIOUS QUESTION.

When any question is before the House, any member may move a previous question whether that question (called the main question) shall now be put. If it pass in the affirmative, then the main question is to be put immediately, and no man may speak anything further to it, either to add or alter. *Memor. in Hakew., 28; 4 Grey, 27.*

The previous question being moved and seconded, the question from the Chair shall be, "Shall the main question be now put?" And if the nays prevail, the main question shall not then be put.

This kind of question is understood by Mr. Hatsell to have been introduced in 1604. *2 Hats., 80.* Sir Henry Vane introduced it. *2 Grey, 113, 114; 3 Grey, 384.* When the question was put in this form, "Shall the main question be put?" a determination in the negative suppressed the main question during the session; but since the words "now put" are used, they exclude it for the present only; formerly, indeed, only till the present debate was over (*4 Grey, 43*), but now for that day and no longer (*2 Grey, 113, 114*).

Before the question whether the main question shall now be put, any person might formerly have spoken to the main question, because otherwise he would be precluded from speaking to it at all. *Mem. in Hakew., 28.*

The proper occasion for the previous question is when a subject is brought forward of a delicate nature as to high personages, etc., or the discussion of which may call forth observations which might be of injurious consequences. Then the previous question is proposed; and in the modern usage, the discussion of the main question is suspended, and the debate confined to the previous question. The use of it has been extended abusively to other cases; but in these it has been an embarrassing

procedure; its uses would be as well answered by other more simple parliamentary forms, and therefore it should not be favored, but restricted within as narrow limits as possible.

Whether a main question may be amended after the previous question on it has been moved and seconded? *2 Hats., 88.*, says if the previous question has been moved and seconded, and also proposed from the Chair (by which he means stated by the Speaker for debate), it has been doubted whether an amendment can be admitted to the main question. He thinks it may, after the previous question moved and seconded, but not after it has been proposed from the Chair. In this case, he thinks the friends to the amendment must vote that the main question be not now put; and then move their amended question, which being made new by the amendment, is no longer the same which has been just suppressed, and therefore may be proposed as a new one. But this proceeding certainly endangers the main question by dividing its friends, some of whom may choose it unamended, rather than lose it altogether; while others of them may vote, as Hatsell advises, that the main question be not now put, with a view to move it again in an amended form. The enemies of the main question, by this maneuver to the previous question, get the enemies to the amendment added to them on the first vote, and throw the friends of the main question under the embarrassment of rallying again as they can. To support this opinion, too, he makes the deciding circumstance, whether an amendment may or may not be made, to be that the previous question has been proposed from the Chair. But, as the rule is that the House is in possession of a question as soon as it is moved and seconded, it can not be more than possessed of it by its being also proposed from the Chair. It may be said, indeed, that the object of the previous question being to get rid of a question, which it is not expedient should be discussed, this object may be defeated by moving to amend; and, in the discussion of that motion, involving the subject of the main question. But so may the object of the previous question be defeated by moving the amended question, as Mr.

Hatsell proposes, after the decision against putting the original question. He acknowledges, too, that the practice has been to admit previous amendments, and only cites a few late instances to the contrary. On the whole, I should think it best to decide it ab inconvenienti, to wit: Which is most inconvenient, to put it in the power of one side of the House to defeat a proposition by hastily moving the previous question, and thus forcing the main question to be put unamended, or to put it in the power of the other side to force on, incidentally at least, a discussion which would be better avoided? Perhaps the last is the least inconvenience, inasmuch as the Speaker, by confining the discussion rigorously to the amendment only, may prevent their going into the main question; and inasmuch, also, as so great a proportion of the cases in which the previous question is called for are fair and proper subjects of public discussion, and ought not to be obstructed by a formality introduced for questions of a peculiar character.

SEC. XXXV. AMENDMENTS.

[NOTE.—See Senate Rules XVI and XVII.]

On an amendment being moved, a member who has spoken to the main question may speak again to the amendment. *Scob.*, *23*.

If an amendment be proposed inconsistent with one already agreed to, it is a fit ground for its rejection by the House, but not within the competence of the Speaker to suppress as if it were against order. For were he permitted to draw questions of consistence within the vortex of order, he might usurp a negative on important modifications, and suppress, instead of subserve, the legislative will.

Amendments may be made so as totally to alter the nature of the proposition; and it is a way of getting rid of a proposition by making it bear a sense different from what it was intended by the movers, so that they vote against it themselves. *2 Hats.*, *79; 4*, *82*, *84*. A new bill may be ingrafted, by way of amendment, on the words "Be it enacted," etc. *1 Grey*, *190*, *192*.

If it be proposed to amend by leaving out certain words, it may be moved, as an amendment to this amendment, to leave out a part of the words of the amendment, which is equivalent to leaving them in the bill. *2 Hats., 80, 9.* The parliamentary question is, always, whether the words shall stand part of the bill.

When it is proposed to amend by inserting a paragraph, or part of one, the friends of the paragraph may make it as perfect as they can by amendments before the question is put for inserting it. If it be received, it can not be amended afterwards in the same stage, because the House has, on a vote, agreed to it in that form. In like manner, if it is proposed to amend by striking out a paragraph, the friends of the paragraph are first to make it as perfect as they can by amendments before the question is put for striking it out. If on the question it be retained, it can not be amended afterwards, because a vote against striking out is equivalent to a vote agreeing to it in that form.

When it is moved to amend by striking out certain words and inserting others, the manner of stating the question is first to read the whole passage to be amended as it stands at present, then the words proposed to be struck out, next those to be inserted, and lastly the whole passage as it will be when amended. And the question, if desired, is then to be divided, and put first on striking out. If carried, it is next on inserting the words proposed. If that be lost, it may be moved to insert others. *2 Hats., 80, 7.*

A motion is made to amend by striking out certain words and inserting others in their place, which is negatived. Then it is moved to strike out the same words, and to insert others of a tenor entirely different from those first proposed. It is negatived. Then it is moved to strike out the same words and insert nothing, which is agreed to. All this is admissible, because to strike out and insert A is one proposition. To strike out and insert B is a different proposition. And to strike out and

insert nothing is still different. And the rejection of one proposition does not preclude the offering a different one. Nor would it change the case were the first motion divided by putting the question first on striking out, and that negatived; for, as putting the whole motion to the question at once would not have precluded, the putting the half of it can not do it.*

NOTE.—See Senate Rule XVIII.

But if it had been carried affirmatively to strike out the words and to insert A, it could not afterwards be permitted to strike out A and insert B. The mover of B should have notified, while the insertion of A was under debate, that he would move to insert B; in which case those who preferred it would join in rejecting A.

After A is inserted, however, it may be moved to strike out a portion of the original paragraph, comprehending A, provided the coherence to be struck out be so substantial as to make this effectively a different proposition; for then it is resolved into the common case of striking out a paragraph after amending it. Nor does anything forbid a new insertion instead of A and its coherence.

In Senate, January 25, 1798, a motion to postpone until the second Tuesday in February some amendments proposed to the Constitution; the words "until the second Tuesday in February" were struck out by way of amendment. Then it was moved to add, "until the first day of June." Objected that it was not in order, as the question should be first put on the longest time; therefore, after a shorter time decided against, a longer

* In the case of a division of the question, and a decision against striking out, I advance doubtingly the opinion here expressed. I find no authority either way, and I know it may be viewed under a different aspect. It may be thought that, having decided separately not to strike out the passage, the same question for striking out can not be put over again, though with a view to a different insertion. Still, I think it more reasonable and convenient to consider the striking out and insertion as forming one proposition, but should readily yield to any evidence that the contrary is the practice in Parliament.

can not be put to question. It was answered that this rule takes place only in filling blanks for time. But when a specific time stands part of a motion, that may be struck out as well as any other part of the motion; and when struck out, a motion may be received to insert any other. In fact, it is not until they are struck out, and a blank for the time thereby produced, that the rule can begin to operate, by receiving all the propositions for different times, and putting the question successively on the longest. Otherwise it would be in the power of the mover, by inserting originally a short time, to preclude the possibility of a longer; for till the short time is struck out, you can not insert a longer; and if, after it is struck out, you can not do it, then it can not be done at all. Suppose the first motion had been made to amend by striking out "the second Tuesday in February," and inserting instead thereof "the first of June," it would have been regular, then, to divide the question, by proposing first the question to strike out and then that to insert. Now, this is precisely the effect of the present proceeding; only, instead of one motion and two questions, there are two motions and two questions to effect it—the motion being divided as well as the question.

When the matter contained in two bills might be better put into one, the manner is to reject the one and incorporate its matter into another bill by way of amendment. So if the matter of one bill would be better distributed into two, any part may be struck out by way of amendment and put into a new bill. If a section is to be transposed, a question must be put on striking it out where it stands, and another for inserting it in the place desired.

A bill passed by the one House with blanks. These may be filled up by the other by way of amendments, returned to the first as such, and passed. *3 Hats., 83.*

The number prefixed to the section of a bill, being merely a marginal indication and no part of the text of the bill, the Clerk regulates that; the House or committee is only to amend the text.

SEC. XXXVI. DIVISION OF THE QUESTION.

If a question contain more parts than one, it may be divided into two or more questions. *Mem. in Hakew., 29.* But not as the right of an individual member, but with the consent of the House. For who is to decide whether a question is complicated or not—where it is complicated—into how many propositions it may be divided? The fact is that the only mode of separating a complicated question is by moving amendments to it; and these must be decided by the House, on a question, unless the House orders it to be divided; as, on the question, December 2, 1640, making void the election of the knights for Worcester, on a motion it was resolved to make two questions of it, to wit, one on each knight. *2 Hats., 85, 86.* So, wherever there are several names in a question, they may be divided and put one by one. *9 Grey, 444.* So, 1729, April 17, on an objection that a question was complicated, it was separated by amendment. *2 Hats., 79.*

NOTE.—See Senate Rule XVIII.

The soundness of these observations will be evident from the embarrassments produced by the XVIIIth rule of the Senate, which says, "If the question in debate contains several points, any member may have the same divided."

1798, May 30, the alien bill in quasi-committee. To a section and proviso in the original, had been added two new provisos by way of amendment. On a motion to strike out the section as amended, the question was desired to be divided. To do this it must be put first on striking out either the former proviso, or some distinct member of the section. But when nothing remains but the last member of the section and the provisos, they can not be divided so as to put the last member to question by itself, for the provisos might thus be left standing alone as exceptions to a rule when the rule is taken away; or the new provisos might be left to a second question, after having been decided on once before at the same reading, which is contrary to rule. But the question must be on striking out the last member of the section as amended. This sweeps away the exceptions

with the rule, and relieves from inconsistence. A question to be divisible must comprehend points so distinct and entire that one of them being taken away, the other may stand entire. But a proviso or exception, without an enacting clause, does not contain an entire point or proposition.

May 31.—The same bill being before the Senate. There was a proviso that the bill should not extend (1) To any foreign minister; nor (2) to any person to whom the President should give a passport; nor (3) to any alien merchant conforming himself to such regulations as the President shall prescribe; and a division of the question into its simplest elements was called for. It was divided into four parts, the fourth taking in the words "conforming himself," etc. It was objected that the words "any alien merchant," could not be separated from their modifying words, "conforming," etc., because these words, if left by themselves, contain no substantive idea, will make no sense. But admitting that the divisions of a paragraph into separate questions must be so made as that each part may stand by itself, yet the House having, on the question, retained the two first divisions, the words "any alien merchant" may be struck out, and their modifying words will then attach temselves to the preceding description of persons, and become a modification of that description.

When a question is divided, after the question on the first member, the second is open to debate and amendment; because it is a known rule that a person may rise and speak at any time before the question has been completely decided, by putting the negative as well as affirmative side. But the question is not completely put when the vote has been taken on the first member only. One-half of the question, both affirmative and negative, remains still to be put. See *Execut. Jour.*, *June 25*, *1795*. The same decision by President Adams.

SEC. XXXVII. COEXISTING QUESTIONS.

It may be asked whether the House can be in possession of two motions or propositions at the same time; so that, one of

them being decided, the other goes to question without being moved anew? The answer must be special. When a question is interrupted by a vote of adjournment, it is thereby removed from before the House and does not stand *ipso facto* before them at their next meeting, but must come forward in the usual way. So, when it is interrupted by the order of the day. Such other privileged questions also as dispose of the main question (*e. g.*, the previous question, postponement, or commitment) remove it from before the House. But it is only suspended by a motion to amend, to withdraw, to read papers, or by a question of order or privilege, and stands again before the House when these are decided. None but the class of privileged questions can be brought forward while there is another question before the House, the rule being that when a motion has been made and seconded no other can be received except it be a privileged one.

SEC. XXXVIII. EQUIVALENT QUESTIONS.

If, on a question for rejection, a bill be retained, it passes, of course, to its next reading. *Hakew., 141; Scob., 42.* And a question for a second reading determined negatively, is a rejection without further question. *4 Grey, 149.* And see *Elsynge's Memor., 42*, in what cases questions are to be taken for rejection.

Where questions are perfectly equivalent, so that the negative of the one amounts to the affirmative of the other, and leaves no other alternative, the decision of the one concludes necessarily the other. *4 Grey, 157.* Thus the negative of striking out amounts to the affirmative of agreeing; and therefore to put a question on agreeing after that on striking out, would be to put the same question in effect twice over. Not so in questions of amendments between the two Houses. A motion to recede being negatived, does not amount to a positive vote to insist, because there is another alternative, to wit, to adhere.

A bill originating in one House is passed by the other with an amendment. A motion in the originating House to agree to the amendment is negatived. Does there result from this a

vote of disagreement, or must the question on disagreement be expressly voted? The questions respecting amendments from another House are—1st, to agree; 2d, disagree; 3d, recede; 4th, insist; 5th, adhere.

1st. To agree.
2d. To disagree.
} Either of these concludes the other necessarily, for the positive of either is exactly the equivalent of the negative of the other, and no other alternative remains. On either motion amendments to the amendment may be proposed; *e. g.*, if it be moved to disagree, those who are for the amendment have a right to propose amendments, and to make it as perfect as they can, before the question of disagreeing is put.

3d. To recede. } You may then either insist or adhere.
4th. To insist. } You may then either recede or adhere.
5th. To adhere. } You may then either recede or insist.

Consequently the negative of these is not equivalent to a positive vote, the other way. It does not raise so necessary an implication as may authorize the Secretary by inference to enter another vote; for two alternatives still remain, either of which may be adopted by the House.

SEC. XXXIX. THE QUESTION.

The question is to be put first on the affirmative and then on the negative side.

After the Speaker has put the affirmative part of the question, any member who has not spoken before to the question may rise and speak before the negative be put; because it is no full question till the negative part be put. *Scob., 23; 2 Hats., 73.*

NOTE.—See Senate Rule XIX.

But in small matters, and which are, of course, such as receiving petitions, reports, withdrawing motions, reading papers, &c.,

the Speaker most commonly supposes the consent of the House where no objection is expressed, and does not give them the trouble of putting the question formally. *Scob., 22; 2 Hats., 2, 79, 87; 5 Grey, 129; 9 Grey, 301.*

SEC. XL. BILLS, THIRD READING.

To prevent bills from being passed by surprise, the House, by a standing order, directs that they shall not be put on their passage before a fixed hour, naming one at which the House is commonly full. *Hakew., 153.*

The usage of the Senate is, not to put bills on their passage till noon.

A bill reported and passed to the third reading can not on that day be read the third time and passed; because this would be to pass on two readings in the same day.

At the third reading the Clerk reads the bill and delivers it to the Speaker, who states the title, that it is the third time of reading the bill, and that the question will be whether it shall pass. Formerly the Speaker, or those who prepared a bill, prepared also a breviate or summary statement of its contents, which the Speaker read when he declared the state of the bill at the several readings. Sometimes, however, he read the bill itself, especially on its passage. *Hakew., 136, 137, 153; Coke, 22, 115.* Latterly, instead of this, he, at the third reading, states the whole contents of the bill verbatim, only, instead of reading the formal parts, "Be it enacted," etc., he states that "the preamble recites so and so—the first section enacts that, etc.; the second section enacts," etc.

But in the Senate of the United States both of these formalities are dispensed with; the breviate presenting but an imperfect view of the bill, and being capable of being made to present a false one; and the full statement being a useless waste of time, immediately after a full reading by the Clerk, and especially as every member has a printed copy in his hand.

A bill on the third reading is not to be committed for the matter or body thereof, but to receive some particular clause or

proviso it hath been sometimes suffered, but as a thing very unusual. *Hakew., 156.* Thus (*27 El., 1584*) a bill was committed on the third reading, having been formerly committed on the second, but is declared not usual (*D'Ewes, 337, col. 2; 414, col. 2*).

When an essential provision has been omitted, rather than erase the bill and render it suspicious they add a clause on a separate paper, engrossed and called a rider, which is read and put to the question three times. *Elsynge's Memo., 59; 6 Grey, 335; 1 Blackst., 183.* For examples of riders, see *3 Hats., 121, 122, 124, 156.* Everyone is at liberty to bring in a rider without asking leave. *10 Grey, 52.*

It is laid down as a general rule that amendments proposed at the second reading shall be twice read, and those proposed at the third reading thrice read; as also all amendments from the other House. *Town., col. 19, 23, 24, 25, 26, 27, 28.*

It is with great and almost invincible reluctance that amendments are admitted at this reading which occasion erasures or interlineations. Sometimes a proviso has been cut off from a bill; sometimes erased. *9 Grey, 513.*

This is the proper stage for filling up blanks; for if filled up before, and now altered by erasure, it would be peculiarly unsafe.

At this reading the bill is debated afresh, and for the most part is more spoken to at this time than on any of the former readings. *Hakew., 153.*

The debate on the question whether it should be read a third time has discovered to its friends and opponents the arguments on which each side relies, and which of these appear to have influence with the House; they have had time to meet them with new arguments and to put their old ones into new shapes. The former vote has tried the strength of the first opinion and furnished grounds to estimate the issue; and the question now offered for its passage is the last occasion which is ever to be offered for carrying or rejecting it.

When the debate is ended, the Speaker, holding the bill in his

hand, puts the question for its passage, by saying, "Gentlemen, all you who are of opinion that this bill shall pass, say aye;" and after the answer of the ayes, "All those of the contrary opinion, say no." *Hakew., 154.*

After the bill is passed, there can be no further alteration of it in any point. *Hakew., 159.*

SEC. XLI. DIVISION OF THE HOUSE.

The affirmative and negative of the question having been both put and answered, the Speaker declares whether the yeas or nays have it by the sound, if he be himself satisfied, and it stands as the judgment of the House. But if he be not himself satisfied which voice is the greater, or if before any other member comes into the House, or before any new motion made (for it is too late after that), any member shall rise and declare himself dissatisfied with the Speaker's decision, then the Speaker is to divide the House. *Scob., 24; 2 Hats., 140.*

When the House of Commons is divided, the one party goes forth and the other remains in the House. This has made it important which go forth and which remain, because the latter gain all the indolent, the indifferent, and inattentive. Their general rule, therefore, is that those who give their vote for the preservation of the orders of the House shall stay in, and those who are for introducing any new matter or alteration, or proceeding contrary to the established course, are to go out. But this rule is subject to many exceptions and modifications (*2 Hats., 134; 1 Rush.,. p 3, fol. 92; Scob., 43, 52; Co., 12, 116; D'Ewes, 505, col. 1; Mem. in Hakew., 25, 29*), as will appear by the following statement of who go forth:

Petition, that it be received *	Ayes.
Read	
Petition, lie on the table	Noes.
Rejected after refusal to lie on table	
Referred to a committee, or further proceeding.	Ayes.

* Noes. 9 Grey, 365.

Bill, that it be brought in	Ayes.	
Read first or second time		
Engrossed or read third time		
Proceeding on every other stage		
Committed		
To Committee of the Whole	Noes.	
To a select committee	Ayes.	
Report of bill to lie on table	Noes.	
Be *now* read	Ayes.	
Be taken into consideration three months hence	30, P. J.	251.
Amendments to be read a second time	Noes.	
Clause offered on report of bill be read second time	Ayes.	
For receiving a clause		334.
With amendments be engrossed		395.
That a bill be *now* read a third time	Noes.	398.
Receive a rider		260.
Pass	Ayes.	259.
Be printed		
Committees. That A take the chair	Noes.	291.
To agree to the whole or any part of report		
That the House do *now* resolve into committee		
Speaker. That he now leave the chair, after order to go into committee		
That he issue warrant for a new writ		
Member. That none be absent without leave		
Witness. That he be further examined	Ayes.	344.
Previous question	Noes.	
Blanks. That they be filled with the largest sum	Ayes.	
Amendments. That words stand part of		
Lords. That their amendment be read a second time	Noes.	

Messenger be received	Ayes.
Orders of day to be now read, if before 2 o'clock.	
If after 2 o'clock	Noes.
Adjournment. Till the next sitting day, if before 4 o'clock	Ayes.
If after 4 o'clock	Noes.
Over a sitting day (unless a previous resolution)	Ayes.
Over the 30th of January	Noes.
For sitting on Sunday, or any other day not being a sitting day	Ayes.

The one party being gone forth, the Speaker names two tellers from the affirmative and two from the negative side, who first count those sitting in the House and report the number to the Speaker. Then they place themselves within the door, two on each side, and count those who went forth as they come in, and report the number to the Speaker. *Mem. in Hakew., 26.*

A mistake in the report of the tellers may be rectified after the report made. *2 Hats., 145, note.*

But in both Houses of Congress all these intricacies are avoided. The ayes first rise, and are counted standing in their places by the President or Speaker. Then they sit, and the noes rise and are counted in like manner.

In Senate, if they be equally divided, the Vice-President announces his opinion, which decides.

The Constitution, however, has directed that "the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal." And again: That in all cases of reconsidering a bill disapproved by the President and returned with his objections, "the votes of both Houses shall be determined by yeas and nays, and the names of persons voting for and against the bill shall be entered on the Journals of each House respectively."

When it is proposed to take the vote by yeas and nays, the President or Speaker states that "the question is whether, *e. g.*,

the bill shall pass—that it is proposed that the yeas and nays shall be entered on the Journal. Those, therefore, who desire it, will rise." If he finds and declares that one-fifth have risen, he then states that "those who are of opinion that the bill shall pass are to answer in the affirmative; those of the contrary opinion in the negative." The Clerk then calls over the names alphabetically, notes the yea or nay of each, and gives the list to the President or Speaker, who declares the result. In the Senate, if there be an equal division, the Secretary calls on the Vice-President and notes his affirmative or negative, which becomes the decision of the House.

NOTE.—See Senate Rule XII, clause 1.

In the House of Commons, every member must give his vote the one way or the other (*Scob., 24*), as it is not permitted to any one to withdraw who is in the House when the question is put, nor is any one to be told in the division who was not in when the question was put (*2 Hats., 140*).

NOTE.—See Senate Rule XII, clause 11.

This last position is always true when the vote is by yeas and nays; where the negative as well as affirmative of the question is stated by the President at the same time, and the vote of both sides begins and proceeds *pari passu*. It is true also when the question is put in the usual way, if the negative has also been put; but if it has not, the member entering, or any other member may speak, and even propose amendments, by which the debate may be opened again, and the question be greatly deferred. And as some who have answered aye may have been changed by the new arguments, the affirmative must be put over again. If, then, the member entering may, by speaking a few words, occasion a repetition of a question. it would be useless to deny it on his simple call for it.

While the House is telling, no member may speak or move out of his place; for if any mistake be suspected. it must be told again. *Mem. in Hakew., 26; 2 Hats., 143.*

If any difficulty arises in point of order during the division, the Speaker is to decide peremptorily, subject to the future

censure of the House if irregular. He sometimes permits old experienced members to assist him with their advice, which they do sitting in their seats, covered, to avoid the appearance of debate; but this can only be with the Speaker's leave, else the division might last several hours. *2 Hats., 143.*

The voice of the majority decides; for the *lex majoris partis* is the law of all councils, elections, etc., where not otherwise expressly provided. *Hakew., 93.* But if the House be equally divided, *semper presumatur pro negante;* that is, the former law is not to be changed but by a majority. *Towns., col. 134.*

But in the Senate of the United States the Vice-President decides when the House is divided. *Constitution United States, I, 3.*

When from counting the House on a division it appears that there is not a quorum, the matter continues exactly in the state in which it was before the division, and must be resumed at that point on any future day. *2 Hats., 126.*

1606, May 1, on a question whether a member having said yea may afterwards sit and change his opinion, a precedent was remembered by the Speaker, of Mr. Morris, attorney of the wards, in *39 Eliz.*, who in like case changed his opinion. *Mem. in Hakew., 27.*

SEC. XLII. TITLES.

After the bill has passed, and not before, the title may be amended, and is to be fixed by a question; and the bill is then sent to the other House.

SEC. XLIII. RECONSIDERATION.

1798, January—a bill on its second reading being amended, and on the question whether it shall be read a third time negatived, was restored by a decision to reconsider that question. Here the votes of negative and reconsideration, like positive and negative quantities in equation, destroy one another, and are as if they were expunged from the journals. Consequently the bill is open for amendment just so far as it was the moment

preceding the question for the third reading; that is to say, all parts of the bill are open for amendment except those on which votes have been already taken in its present stage. So, also, it may be recommitted.

NOTE.—See Senate Rule XIII.

*The rule permitting a reconsideration of a question affixing to it no limitation of time or circumstance, it may be asked whether there is no limitation? If, after the vote, the paper on which it is passed has been parted with, there can be no reconsideration, as if a vote has been for the passage of a bill, and the bill has been sent to the other House. But where the paper remains, as on a bill rejected, when, or under what circumstances, does it cease to be susceptible of reconsideration? This remains to be settled; unless a sense that the right of reconsideration is a right to waste the time of the House in repeated agitations of the same question, so that it shall never know when a question is done with, should induce them to reform this anomalous proceeding.

NOTE.—See Senate Rule XIII.

In Parliament a question once carried can not be questioned again at the same session, but must stand as the judgment of the House. *Towns., col. 67; Mem. in Hakew., 33.* And a bill once rejected, another of the same substance can not be brought in again the same session. *Hakew., 158; 6 Grey, 392.* But this does not extend to prevent putting the same question in different stages of a bill; because every stage of a bill submits the whole and every part of it to the opinion of the House, as open for amendment, either by insertion or omission, though the same amendment has been accepted or rejected in a former stage. So in reports of committees, *e. g.*, report of an address, the same question is before the House, and open for free discussion. *Towns., col. 26; 2 Hats., 98, 100, 101.* So orders of the House, or instructions to committees, may be discharged. So a bill, begun in one House, and sent to the other, and there rejected, may be renewed again in that other, passed and sent

*The rule now fixes a limitation.

back. *Ib., 92; 3 Hats., 161.* Or if, instead of being rejected, they read it once and lay it aside or amend it, and put it off a month, they may order in another to the same effect, with the same or a different title. *Hakew., 97, 98.*

NOTE.—See Senate Rule XXVI.

Divers expedients are used to correct the effects of this rule; as, by passing an explanatory act, if anything has been omitted or ill expressed (*3 Hats., 278*), or an act to enforce, and make more effectual an act, etc., or to rectify mistakes in an act, etc., or a committee on one bill may be instructed to receive a clause to rectify the mistakes of another. Thus, June 24, 1685, a clause was inserted in a bill for rectifying a mistake committed by a clerk in engrossing a bill of supply. *2 Hats., 194, 6.* Or the session may be closed for one, two, three or more days, and a new one commenced. But then all matters depending must be finished, or they fall, and are to begin de novo. *2 Hats., 94, 98.* Or a part of the subject may be taken up by another bill, or taken up in a different way. *6 Grey, 304, 316.*

And in cases of the last magnitude, this rule has not been so strictly and verbally observed as to stop indispensable proceedings altogether. *2 Hats., 92, 98.* Thus when the address on the preliminaries of peace in 1782 had been lost by a majority of one, on account of the importance of the question, and smallness of the majority, the same question in substance, though with some words not in the first, and which might change the opinion of some Members, was brought on again and carried, as the motives for it were thought to outweigh the objection of form. *2 Hats., 99, 100.*

A second bill may be passed to continue an act of the same session, or to enlarge the time limited for its execution. *2 Hats., 95, 98.* This is not in contradiction to the first act.

SEC. XLIV. BILLS SENT TO THE OTHER HOUSE.

A bill from the other House is sometimes ordered to lie on the table. *2 Hats., 97.*

When bills, passed in one House and sent to the other, are grounded on special facts requiring proof, it is usual, either by message or at a conference, to ask the grounds and evidence; and this evidence, whether arising out of papers, or from the examination of witnesses, is immediately communicated. *3 Hats., 48.*

NOTE.—See Senate Rule XXV.

SEC. XLV. AMENDMENTS BETWEEN THE HOUSES.

When either House, *e. g.*, the House of Commons, sends a bill to the other, the other may pass it with amendments. The regular progression in this case is, that the Commons disagree to the amendment; the Lords insist on it; the Commons insist on their disagreement; the Lords adhere to their amendment; the Commons adhere to their disagreement. The term of insisting may be repeated as often as they choose to keep the question open. But the first adherence by either renders it necessary for the other to recede or adhere also; when the matter is usually suffered to fall. *10 Grey, 148.* Latterly, however, there are instances of their having gone to a second adherence. There must be an absolute conclusion of the subject somewhere, or otherwise transactions between the Houses would become endless. *3 Hats., 268, 270.* The term of insisting, we are told by Sir John Trevor, was then (1679) newly introduced into parliamentary usage, by the Lords. *7 Grey, 94.* It was certainly a happy innovation, as it multiplies the opportunities of trying modifications which may bring the Houses to a concurrence. Either House, however, is free to pass over the term of insisting, and to adhere in the first instance (*10 Grey, 146*), but it is not respectful to the other. In the ordinary parliamentary course, there are two free conferences, at least, before an adherence. *10 Grey, 147.*

Either House may recede from its amendment and agree to the bill; or recede from its disagreement to the amendment, and agree to the same absolutely, or with an amendment; for

here the disagreement and receding destroy one another, and the subject stands as before the disagreement. *Elysnge, 23, 27; 9 Grey, 476.*

But the House can not recede from or insist on its own amendment with an amendment, for the same reason that it can not send to the other House an amendment to its own act after it has passed the act. They may modify an amendment from the other House by ingrafting an amendment on it, because they have never assented to it; but they can not amend their own amendment, because they have, on the question, passed it in that form. *9 Grey, 363; 10 Grey, 240.* In Senate, March 29, 1798. Nor where one House has adhered to their amendment, and the other agrees with an amendment, can the first House depart from the form which they have fixed by an adherence.

In the case of a money bill, the Lords proposed amendments, become, by delay, confessedly necessary. The Commons, however, refused them, as infringing on their privilege as to money bills; but they offered themselves to add to the bill a proviso to the same effect, which had no coherence with the Lords' amendments; and urged that it was an expedient warranted by precedent, and not unparliamentary in a case become impracticable and irremediable in any other way. *3 Hats., 256, 266, 270, 271.* But the Lords refused, and the bill was lost. *1 Chand., 288.* A like case, *1 Chand., 311.* So the Commons resolved that it is unparliamentary to strike out, at a conference, anything in a bill which hath been agreed and passed by both Houses. *6 Grey, 274; 1 Chand., 312.*

A motion to amend an amendment from the other House takes precedence of a motion to agree or disagree.

A bill originating in one House is passed by the other with an amendment.

The originating House agrees to their amendment with an amendment. The other may agree to their amendment with an amendment, that being only in the second and not the third degree; for, as to the amending House, the first amendment

with which they passed the bill is a part of its text; it is the only text they have agreed to. The amendment to that text by the originating House, therefore, is only in the first degree, and the amendment to that again by the amending House is only in the second—to wit, an amendment to an amendment—and so admissible. Just so, when, on a bill from the originating House, the other, at its second reading, makes an amendment. On the third reading this amendment is become the text of the bill, and if an amendment to it be moved, an amendment to that amendment may also be moved, as being only in the second degree.

SEC. XLVI. CONFERENCES.

It is on the occasion of amendments between the Houses that conferences are usually asked; but they may be asked in all cases of difference of opinion between the two Houses on matters depending between them. The request of a conference, however, must always be by the House which is possessed of the papers. *3 Hats., 31; 1 Grey, 425.*

Conferences may be either simple or free. At a conference simply, written reasons are prepared by the House asking it, and they are read and delivered, without debate, to the managers of the other House at the conference; but are not then to be answered. *4 Grey, 144.* The other House then, if satisfied, vote the reasons satisfactory, or say nothing; if not satisfied, they resolve them not satisfactory and ask a conference on the subject of the last conference, where they read and deliver, in like manner, written answers to those reasons. *3 Grey, 183.* They are meant chiefly to record the justification of each House to the nation at large, and to posterity, and in proof that the miscarriage of a necessary measure is not imputable to them. *3 Grey, 255.* At free conferences, the managers discuss, viva voce and freely, and interchange propositions for such modifications as may be made in a parliamentary way, and may bring the sense of the two Houses together. And each party reports

in writing to its respective House the substance of what is said on both sides, and it is entered in its Journal. *9 Grey, 220; 3 Hats., 280.* This report can not be amended or altered, as that of a committee may be. *Journal Senate, May 24, 1796.*

A conference may be asked before the House asking it has come to a resolution of disagreement, insisting or adhering.* *3 Hats., 269, 341.* In which case the papers are not left with the other conferees, but are brought back to be the foundation of the vote to be given. And this is the most reasonable and respectful proceeding; for, as was urged by the Lords on a particular occasion, "it is held vain and below the wisdom of Parliament to reason or argue against fixed resolutions, and upon terms of impossibility to persuade." *3 Hats., 226.* So the Commons say, "an adherence is never delivered at a free conference, which implies debate." *10 Grey, 137.* And on another occasion the Lords made it an objection that the Commons had asked a free conference after they had made resolutions of adhering. It was then affirmed, however, on the part of the Commons, that nothing was more parliamentary than to proceed with free conferences after adhering (*3 Hats., 269*), and we do in fact see instances of conference, or of free conference, asked after the resolution of disagreeing (*3 Hats., 251, 253, 260, 286, 291, 316, 349*); of insisting (*ib., 280, 296, 299, 319, 322, 355*); of adhering (*ib., 269, 270, 283, 300*), and even of a second or final adherence (*3 Hats., 270*). And in all cases of conference asked after a vote of disagreement, etc., the conferees of the House asking it are to leave the papers with the conferees of the other; and in one case where they refused to receive them

* Several instances have arisen in the Senate where a conference has been asked immediately upon the passage of a House bill with amendments, and before the House had come to a disagreeing vote upon the Senate amendments. See Senate Journal, second session, Forty-second Congress, pages 851 and 1003; Senate Journal, third session, Forty-fifth Congress, page 433; Senate Journal, first session, Forty-eighth Congress, pages 628 and 643. See also Congressional Record, vol. 15, part 4, pages 3975 and 4100 (first session, Forty-eighth Congress), where the principle involved was discussed.

they were left on the table in the conference chamber. *Ib., 271, 317, 323, 354; 10 Grey, 146.*

After a free conference, the usage is to proceed with free conferences, and not to return again to a conference. *3 Hats., 270; 9 Grey, 229.*

After a conference is denied, a free conference may be asked. *1 Grey, 45.*

When a conference is asked, the subject of it must be expressed, or the conference not agreed to. *Ord. H. Com., 89; 1 Grey, 425; 7 Grey, 31.* They are sometimes asked to inquire concerning an offense or default of a member of the other House. *6 Grey, 181; 1 Chand., 304.* Or the failure of the other House to present to the King a bill passed by both Houses. *8 Grey, 302.* Or on information received, and relating to the safety of the nation. *10 Grey, 171.* Or when the methods of Parliament are thought by the one House to have been departed from by the other, a conference is asked to come to a right understanding thereon. *10 Grey, 148.* So when an unparliamentary message has been sent, instead of answering it they ask a conference. *3 Grey, 155.* Formerly an address or articles of impeachment, or a bill with amendments, or a vote of the House, or concurrence in a vote, or a message from the King, were sometimes communicated by way of conference. *6 Grey, 128, 300, 387; 7 Grey, 80; 8 Grey, 210, 255; 1 Torbuck's Deb., 278; 10 Grey, 293; 1 Chan., 49, 287.* But this is not the modern practice. 8 *Grey, 255.*

A conference has been asked after the first reading of a bill. *1 Grey, 194.* This is a singular instance.

NOTE.—See Senate Rule XXVII.

SEC. XLVII. MESSAGES.

Messages between the Houses are to be sent only while both Houses are sitting. *3 Hats., 15.* They are received during a debate without adjourning the debate. *3 Hats., 22.*

In the Senate the messengers are introduced in any state of business, except (1) while a question is being put; (2) while the

yeas and nays are being called; (3) while the ballots are being counted. The first case is short; the second and third are cases where any interruption might occasion errors difficult to be corrected. So arranged June 15, 1798.

NOTE.—See Senate Rule XXVIII.

In the House of Representatives, as in Parliament, if the House be in committee when a messenger attends, the Speaker takes the chair to receive the message, and then quits it to return into committee, without any question or interruption. *4 Grey, 226.*

Messengers are not saluted by the members, but by the Speaker for the House. *2 Grey, 253, 274.*

If messengers commit an error in delivering their message, they may be admitted or called in to correct their message. *4 Grey, 41.* Accordingly, March 13, 1800, the Senate having made two amendments to a bill from the House of Representatives, their Secretary, by mistake, delivered one only; which, being inadmissible by itself, that House disagreed, and notified the Senate of their disagreement. This produced a discovery of the mistake. The Secretary was sent to the other House to correct his mistake, the correction was received, and the two amendments acted on de novo.

As soon as the messenger who has brought bills from the other House has retired, the Speaker holds the bills in his hand and acquaints the House that "the other House have by their messenger sent certain bills," and then reads their titles and delivers them to the Clerk, to be safely kept till they shall be called for to be read. *Hakew., 178.*

It is not the usage for one House to inform the other by what numbers a bill is passed. *10 Grey, 150.* Yet they have sometimes recommended a bill, as of great importance, to the consideration of the House to which it is sent. *3 Hats., 25.* Nor when they have rejected a bill from the other House do they give notice of it; but it passes sub silentio, to prevent unbecoming altercations. *1 Blackst., 183.*

But in Congress the rejection is notified by message to the House in which the bill originated.

A question is never asked by the one House of the other by way of message, but only at a conference; for this is an interrogatory, not a message. *3 Grey, 151, 181.*

When a bill is sent by one House to the other and is neglected, they may send a message to remind them of it. *3 Hats., 25; 5 Grey, 154.* But if it be mere inattention it is better to have it done informally by communications between the Speakers or members of the two Houses.

Where the subject of a message is of a nature that it can properly be communicated to both Houses of Parliament, it is expected that this communication should be made to both on the same day. But where a message was accompanied with an original declaration, signed by the party to which the message referred, its being sent to one House was not noticed by the other, because the declaration, being original, could not possibly be sent to both Houses at the same time. *2 Hats., 260, 261, 262.*

The King having sent original letters to the Commons, afterwards desires they may be returned, that he may communicate them to the Lords. *1 Chan., 303.*

SEC. XLVIII. ASSENT.

The House which has received a bill and passed it may present it for the King's assent, and ought to do it, though they have not by message notified to the other their passage of it. Yet the notifying by message is a form which ought to be observed between the two Houses from motives of respect and good understanding. *2 Hats., 242.* Were the bill to be withheld from being presented to the King, it would be an infringement of the rules of Parliament. *Ib.*

When a bill has passed both Houses of Congress, the House last acting on it notifies its passage to the other, and delivers

the bill to the Joint Committee of Enrollment, who see that it is truly enrolled in parchment. When the bill is enrolled, it is not to be written in paragraphs, but solidly, and all of a piece, that the blanks between the paragraphs may not give room for forgery. *9 Grey, 143.* It is then put into the hands of the Clerk of the House of Representatives to have it signed by the Speaker. The Clerk then brings it by way of message to the Senate to be signed by their President. The Secretary of the Senate returns it to the Committee of Enrollment, who present it to the President of the United States. If he approve, he signs, and deposits it among the rolls in the office of the Secretary of State, and notifies by message the House in which it originated that he has approved and signed it; of which that House informs the other by message. If the President disapproves, he is to return it, with his objections, to that House in which it shall have originated; who are to enter the objections at large on their journal, and proceeded to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the President's objections to the other House, by which it shall likewise be reconsidered; and if approved by two-thirds of that House, it shall become a law. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return; in which case it shall not be a law. *Constitution, I, 7.*

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment), shall be presented to the President of the United States, and, before the same shall take effect, shall be approved by him; or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill. *Constitution, I, 7.*

SEC. XLIX. JOURNALS.

Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy. *Constitution, I, 5.*

NOTE.—See Senate Rule IV.

If a question is interrupted by a vote to adjourn, or to proceed to the orders of the day, the original question is never printed in the journal, it never having been a vote, nor introductory to any vote; but when suppressed by the previous question, the first question must be stated, in order to introduce and make intelligible the second. *2 Hats., 83.*

So, also, when a question is postponed, adjourned, or laid on the table, the original question, though not yet a vote, must be expressed in the journals, because it makes part of the vote of postponement, adjournment, or laying it on the table.

Where amendments are made to a question, those amendments are not printed in the journals, separated from the question; but only the question as finally agreed to by the House. The rule of entering in the journals only what the House has agreed to, is founded in great prudence and good sense, as there may be many questions proposed which it may be improper to publish to the world in the form in which they are made. *2 Hats., 85.*

In both Houses of Congress all questions whereon the yeas and nays are desired by one-fifth of the members present, whether decided affirmatively or negatively, must be entered in the journals. *Constitution, I, 5.*

The first order for printing the votes of the House of Commons was October 30, 1685. *1 Chandler, 387.*

Some judges have been of opinion that the journals of the House of Commons are no records, but only remembrances. But this is not law. *Hob., 110, 111; Lex Parl., 114, 115; Jour. H. C., Mar. 17, 1592; Hale, Parl., 105.* For the Lords, in their House, have power of judicature, the Commons, in their House, have power of judicature, and both Houses together have

power of judicature; and the book of the clerk of the House of Commons is a record, as is affirmed by act of Parliament (*6 H. 8, c. 16; 4 Inst., 23, 24*), and every member of the House of Commons hath a judicial place. *4 Inst., 15.* As records they are open to every person, and a printed vote of either House is sufficient ground for the other to notice it. Either may appoint a committee to inspect the journals of the other and report what has been done by the other in any particular case. *2 Hats., 261; 3 Hats., 27–30.* Every member has a right to see the journals and to take and publish votes from them. Being a record, everyone may see and publish them. *6 Grey, 118, 119.*

On information of a mis-entry or omission of an entry in the journal, a committee may be appointed to examine and rectify it, and report it to the House. *2 Hats., 194, 195.*

NOTE.—See Senate Rule III.

SEC. L. ADJOURNMENT.

The two Houses of Parliament have the sole, separate, and independent power of adjourning each their respective Houses. The King has no authority to adjourn them; he can only signify his desire, and it is in the wisdom and prudence of either House to comply with his requisition, or not, as they see fitting. *2 Hats., 232; 1 Blackst., 186; 5 Grey, 122.*

By the Constitution of the United States, a smaller number than a majority may adjourn from day to day. *Constitution, I, 5.* But "neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting." *Constitution, I, 5.* And in case of disagreement between them, with respect to the time of adjournment, the President may adjourn them to such time as he shall think proper. *Constitution, II, 3.*

A motion to adjourn simply can not be amended, as by adding "to a particular day;" but must be put simply "that this House do now adjourn;" and if carried in the affirmative, it is adjourned to the next sitting day, unless it has come to a pre-

vious resolution "that at its rising it will adjourn to a particular day," and then the House is adjourned to that day. *2 Hats., 82.*

Where it is convenient that the business of the House be suspended for a short time, as for a conference presently to be held, etc., it adjourns during pleasure; *2 Hats., 305;* or for a quarter of an hour. *5 Grey., 331.*

If a question be put for adjournment, it is no adjournment till the Speaker pronounces it. *5 Grey., 137.* And from courtesy and respect, no member leaves his place till the Speaker has passed on.

SEC. LI. A SESSION.

Parliament have three modes of separation, to wit, by adjournment, by prorogation or dissolution by the King, or by the efflux of the term for which they were elected. Prorogation or dissolution constitutes there what is called a session, provided some act was passed. In this case all matters depending before them are discontinued, and at their next meeting are to be taken up de novo, if taken up at all. *1 Blackst., 186.* Adjournment, which is by themselves, is no more than a continuance of the session from one day to another, or for a fortnight, a month, etc., ad libitum. All matters depending remain in statu quo, and when they meet again, be the term ever so distant, are resumed, without any fresh commencement, at the point at which they were left. *1 Lev., 165; L. Parl., c. 2; 1 Ro. Rep., 29; 4 Inst., 7, 27, 28; Hutt., 61; 1 Mod., 252; Ruffh. Jac., L. Dict. Parliament; 1 Blackst., 186.* Their whole session is considered in law but as one day, and has relation to the first day thereof. *Bro. Abr. Parliament, 86.*

NOTE.—See Senate Rule XXXII.

Committees may be appointed to sit during a recess by adjournment, but not by prorogation. *5 Grey, 374; 9 Grey, 350; 1 Chand., 50.* Neither House can continue any portion of itself in any parliamentary function beyond the end of the session without the consent of the other two branches. When done, it

is by a bill constituting them commissioners for the particular purpose.

Congress separate in two ways only, to wit, by adjournment, or dissolution by the efflux of their time. What, then, constitutes a session with them? A dissolution certainly closes one session, and the meeting of the new Congress begins another.

The Constitution authorizes the President "on extraordinary occasions, to convene both Houses, or either of them." *Constitution, I, 3.* If convened by the President's proclamation, this must begin a new session, and of course determine the preceding one to have been a session. So if it meets under the clause of the Constitution, which says, "the Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day" *Constitution (I, 4)*, this must begin a new session; for even if the last adjournment was to this day, the act of adjournment is merged in the higher authority of the Constitution, and the meeting will be under that, and not under their adjournment. So far we have fixed landmarks for determining sessions. In other cases it is declared by the joint vote authorizing the President of the Senate and the Speaker to close the session on a fixed day, which is usually in the following form: "Resolved by the Senate and House of Representatives, That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the —— day of ——."

When it was said above that all matters depending before Parliament were discontinued by the determination of the session, it was not meant for judiciary cases depending before the House of Lords, such as impeachments, appeals, and writs of error. These stand continued, of course, to the next session. *Raym., 120, 381; Ruffh. Jac., L. D. Parliament.*

Impeachments stand, in like manner, continued before the Senate of the United States,

SEC. LII. TREATIES.

The President of the United States has power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur. *Constitution, II, 2.*

NOTE.—See Senate Rule XXXVI, clause 3; Rule XXXVII, clause 3.

Treaties are legislative acts. A treaty is the law of the land. It differs from other laws only as it must have the consent of a foreign nation, being but a contract with respect to that nation. In all countries, I believe, except England, treaties are made by the legislative power; and there, also, if they touch the laws of the land, they must be approved by Parliament. Ware *v.* Hylton, *3 Dallas's Rep., 223.* It is acknowledged, for instance, that the King of Great Britain can not by a treaty make a citizen of an alien. *Vattel, b. 1, c. 19, sec. 214.* An act of Parliament was necessary to validate the American treaty of 1783. And abundant examples of such acts can be cited. In the case of the treaty of Utrecht, in 1712, the commercial articles required the concurrence of Parliament; but a bill brought in for that purpose was rejected. France, the other contracting party, suffered these articles, in practice, to be not insisted on, and adhered to the rest of the treaty. *4 Russel's Hist. Mod. Europe, 457; 2 Smollet, 242, 246.*

By the Constitution of the United States this department of legislation is confined to two branches only of the ordinary legislature—the President originating and the Senate having a negative. To what subjects this power extends has not been defined in detail by the Constitution; nor are we entirely agreed among ourselves. 1. It is admitted that it must concern the foreign-nation party to the contract, or it would be a mere nullity, *res inter alias acta.* 2. By the general power to make treaties, the Constitution must have intended to comprehend only those subjects which are usually regulated by treaty, and can not be otherwise regulated. 3. It must have meant to except out of these the rights reserved to the States, for surely

the President and Senate can not do by treaty what the whole Government is interdicted from doing in any way. 4. And also to except those subjects of legislation in which it gave a participation to the House of Representatives. This last exception is denied by some on the ground that it would leave very little matter for the treaty power to work on. The less the better, say others. The Constitution thought it wise to restrain the Executive and Senate from entangling and embroiling our affairs with those of Europe. Besides, as the negotiations are carried on by the Executive alone, the subjecting to the ratification of the Representatives such articles as are within their participation is no more inconvenient than to the Senate. But the ground of this exception is denied as unfounded. For examine, *e. g.*, the treaty of commerce with France, and it will be found that, out of thirty-one articles, there are not more than small portions of two or three of them which would not still remain as subjects of treaties, untouched by these exceptions.

Treaties being declared, equally with the laws of the United States, to be the supreme law of the land, it is understood that an act of the legislature alone can declare them infringed and rescinded. This was accordingly the process adopted in the case of France in 1798.

It has been the usage for the Executive, when it communicates a treaty to the Senate for their ratification, to communicate also the correspondence of the negotiators. This having been omitted in the case of the Prussian treaty, was asked by a vote of the House of February 12, 1800, and was obtained. And in December, 1800, the convention of that year between the United States and France, with the report of the negotiations by the envoys, but not their instructions, being laid before the Senate, the instructions were asked for and communicated by the President.

The mode of voting on questions of ratification is by nominal call.

NOTE—See Senate Rule XXXVII.

SEC. LIII. IMPEACHMENT.

The House of Representatives shall have the sole power of impeachment. *Constitution, I, 3.*

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust, or profit under the United States. But the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment according to law. *Constitution, I, 3.*

The President, Vice-President, and all civil officers of the United States shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors. *Constitution, II, 4.*

The trial of crimes, except in cases of impeachment, shall be by jury. *Constitution, III, 2.*

These are the provisions of the Constitution of the United States on the subject of impeachments. The following is a sketch of some of the principles and practices of England on the same subject:

Jurisdiction. The Lords can not impeach any to themselves, nor join in the accusation, because they are the judges. *Seld. Judic. in Parl., 12, 63.* Nor can they proceed against a commoner but on complaint of the Commons. *Ib., 84.* The Lords may not, by the law, try a commoner for a capital offense, on the information of the King or a private person, because the accused is entitled to a trial by his peers generally; but on accusation by the House of Commons, they may proceed against the delinquent, of whatsoever degree, and whatsoever be the nature of the offense; for there they do not assume to themselves trial at common law. The Commons are then instead of a jury, and

the judgment is given on their demand, which is instead of a verdict. So the Lords do only judge, but not try the delinquent. *Ib., 6, 7.* But Wooddeson denies that a commoner can now be charged capitally before the Lords, even by the Commons; and cites Fitzharris's case, 1681, impeached of high treason, where the Lords remitted the prosecution to the inferior court. *8 Grey's Deb., 325–7; 2 Wooddeson, 576, 601; 3 Seld., 1604, 1610, 1618, 1619, 1641; 4 Blackst., 25; 9 Seld., 1656; 73 Seld., 1604–18.*

Accusation. The Commons, as the grand inquest of the nation, become suitors for penal justice. *2 Wood., 597; 6 Grey, 356.* The general course is to pass a resolution containing a criminal charge against the supposed delinquent, and then to direct some member to impeach him by oral accusation, at the bar of the House of Lords, in the name of the Commons. The person signifies that the articles will be exhibited, and desires that the delinquent may be sequestered from his seat, or be committed, or that the peers will take order for his appearance. *Sachev. Trial, 325; 2 Wood., 602, 605; Lords' Journ., 3 June, 1701; 1 Wms., 616; 6 Grey, 324.*

Process. If the party do not appear, proclamations are to be issued giving him a day to appear. On their return they are strictly examined. If any error be found in them, a new proclamation issues, giving a short day. If he appear not, his goods may be arrested, and they may proceed. *Seld. Jud., 98, 99.*

Articles. The accusation (articles) of the Commons is substituted in place of an indictment. Thus, by the usage of Parliament, in impeachment for writing or speaking, the particular words need not be specified. *Sach. Tr., 325; 2 Wood., 602, 605; Lords' Journ., 3 June, 1701; 1 Wms., 616.*

Appearance. If he appear, and the case be capital, he answers in custody; though not if the accusation be general. He is not to be committed but on special accusations. If it be for a misdemeanor only, he answers, a lord in his place, a commoner at the bar, and not in custody, unless, on the answer, the Lords find cause to commit him till he finds sureties to attend and

lest he should fly. *Seld. Jud.*, *98*, *99*. A copy of the articles is given him and a day fixed for his answer. *T. Ray.*; *1 Rushw.*, *268*; *Fost.*, *232*; *1 Clar. Hist. of the Reb.*, *379*. On a misdemeanor his appearance may be in person or he may answer in writing, or by attorney. *Seld. Jud.*, *100*. The general rule on accusation for a misdemeanor is that in such a state of liberty or restraint as the party is when the Commons complain of him, in such he is to answer. *Ib.*, *101*. If previously committed by the Commons he answers as a prisoner. But this may be called in some sort *judicium parium suorum*. *Ib.* In misdemeanors the party has a right to counsel by the common law, but not in capital cases. *Seld. Jud.*, *102*,*105*.

Answer. The answer need not observe great strictness of form. He may plead guilty as to part and defend as to the residue; or, saving all exceptions, deny the whole, or give a particular answer to each article separately. *1 Rush.*, *274*; *2 Rush.*, *1374*; *12 Parl. Hist.*, *442*; *3 Lords' Journ.*, *13 Nov.*, *1643*; *2 Wood.*, *607*. But he can not plead a pardon in bar to the impeachment. *2 Wood.*, *615*; *2 St. Tr.*, *735*.

Replication, rejoinder, etc. There may be a replication, rejoinder, etc. *Seld. Jud.*, *114*; *8 Grey's Deb.*, *233*; *Sach. Tr.*, *15*; *Journ. House of Commons*, *6 March*, *1640–41*.

Witnesses. The practice is to swear the witnesses in open House, and then examine them there; or a committee may be named who shall examine them in committee, either on interrogatories agreed on in the House or such as the committee in their discretion shall demand. *Seld. Jud.*, *120*, *123*.

Jury. In the case of Alice Pierce (*1 R.*, *2*), a jury was impaneled for her trial before a committee. *Seld. Jud.*, *123*. But this was on a complaint, not on impeachment by the Commons. *Seld. Jud.*, *163*. It must also have been for a misdemeanor only, as the Lords spiritual sat in the case, which they do on misdemeanors, but not in capital cases. *Id.*, *148*. The judgment was a forfeiture of all her lands and goods. *Id.*, *188*. This, Selden says, is the only jury he finds recorded in Parliament for

misdemeanors; but he makes no doubt, if the delinquent doth put himself on the trial of his country, a jury ought to be impaneled, and he adds that it is not so on impeachment by the Commons; for they are in loco proprio, and there no jury ought to be impaneled. *Id., 124.* The Ld. Berkeley (*6 E., 3*) was arraigned for the murder of L. 2, on an information on the part of the King, and not on impeachment of the Commons; for then they had been *patria sua.* He waived his peerage, and was tried by a jury of Gloucestershire and Warwickshire. *Id., 126.* In *1 H. 7*, the Commons protest that they are not to be considered as parties to any judgment given, or hereafter to be given, in Parliament. *Id., 133.* They have been generally and more justly considered, as is before stated, as the grand jury; for the conceit of Selden is certainly not accurate, that they are the *patria sua* of the accused, and that the Lords do only judge, but not try. It is undeniable that they do try; for they examine witnesses as to the facts, and acquit or condemn, according to their own belief of them. And Lord Hale says, "the peers are judges of law as well as of fact" (*2 Hale, P. C., 275*) consequently of fact as well as of law.

Presence of Commons. The Commons are to be present at the examination of witnesses. *Seld. Jud., 124.* Indeed, they are to attend throughout, either as a committee of the whole House, or otherwise, at discretion, appoint managers to conduct the proofs. *Rushw. Tr. of Straff., 37; Com. Journ., 4 Feb., 1709–10; 2 Wood., 614.* And judgment is not to be given till they demand it. *Seld. Jud., 124.* But they are not to be present on impeachment when the Lords consider of the answer or proofs and determine of their judgment. Their presence, however, is necessary at the answer and judgment in cases capital (*Id. 58, 158*) as well as not capital, *162.* The Lords debate the judgment among themselves. Then the vote is first taken on the question of guilty or not guilty; and if they convict, the question, or particular sentence, is out of that which seemeth to be most generally agreed on. *Seld. Jud., 167; 2 Wood., 612.*

Judgment. Judgments in Parliament, for death, have been strictly guided *per legem terræ*, which they can not alter; and not at all according to their discretion. They can neither omit any part of the legal judgment, nor add to it. Their sentence must be *secundum, non ultra legem. Seld. Jud., 168, 171.* This trial, though it varies in external ceremony, yet differs not in essentials from criminal prosecutions before inferior courts. The same rules of evidence, the same legal notions of crimes and punishments, prevailed; for impeachments are not framed to alter the law, but to carry it into more effectual execution against too powerful delinquents. The judgment, therefore, is to be such as is warranted by legal principles or precedents. *6 Sta. Tr., 14; 2 Wood., 611.* The Chancellor gives judgment in misdemeanors; the Lord High Steward formerly in cases of life and death. *Seld. Jud., 180.* But now the Steward is deemed not necessary. *Fost., 144; 2 Wood., 613.* In misdemeanors the greatest corporal punishment hath been imprisonment. *Seld. Jud., 184.* The King's assent is necessary in capital judgments (but *2 Wood., 614, contra*), but not in misdemeanors. *Seld. Jud., 136.*

Continuance. An impeachment is not discontinued by the dissolution of Parliament, but may be resumed by the new Parliament. *T. Ray., 383; 4 Com. Journ., 23 Dec., 1790; Lords' Journ., May 15, 1791; 2 Wood., 618.*

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RULES OF PROCEDURE AND PRACTICE IN THE SENATE WHEN SITTING ON IMPEACHMENT TRIALS.*

I. Whensoever the Senate shall receive notice from the House of Representatives that managers are appointed on their part to conduct an impeachment against any person and are directed to carry articles of impeachment to the Senate, the Secretary of the Senate shall immediately inform the House of Representatives that the Senate is ready to receive the managers for the purpose of exhibiting such articles of impeachment, agreeably to such notice.

II. When the managers of an impeachment shall be introduced at the bar of the Senate and shall signify that they are ready to exhibit articles of impeachment against any person, the Presiding Officer of the Senate shall direct the Sergeant-at-Arms to make proclamation, who shall, after making proclamation, repeat the following words, viz: "All persons are commanded to keep silence, on pain of imprisonment, while the House of Representatives is exhibiting to the Senate of the United States articles of impeachment against ——— ———;" after which the articles shall be exhibited, and then the Presiding Officer of the Senate shall inform the managers that the Senate will take proper order on the subject of the impeachment, of which due notice shall be given to the House of Representatives.

*See also Jefferson's Manual, Sec. LIII.

III. Upon such articles being presented to the Senate, the Senate shall, at 1 o'clock afternoon of the day (Sunday excepted) following such presentation, or sooner if ordered by the Senate, proceed to the consideration of such articles, and shall continue in session from day to day (Sundays excepted) after the trial shall commence (unless otherwise ordered by the Senate) until final judgment shall be rendered, and so much longer as may, in its judgment, be needful. Before proceeding to the consideration of the articles of impeachment, the Presiding Officer shall administer the oath hereinafter provided to the members of the Senate then present and to the other members of the Senate as they shall appear, whose duty it shall be to take the same.

IV. When the President of the United States or the Vice-President of the United States, upon whom the powers and duties of the office of President shall have devolved, shall be impeached, the Chief Justice of the Supreme Court of the United States shall preside; and in a case requiring the said Chief Justice to preside notice shall be given to him by the Presiding Officer of the Senate of the time and place fixed for the consideration of the articles of impeachment, as aforesaid, with a request to attend; and the said Chief Justice shall preside over the Senate during the consideration of said articles and upon the trial of the person impeached therein.

V. The Presiding Officer shall have power to make and issue, by himself or by the Secretary of the Senate, all orders, mandates, writs, and precepts authorized by these rules or by the Senate, and to make and enforce such other regulations and orders in the premises as the Senate may authorize or provide.

VI. The Senate shall have power to compel the attendance of witnesses, to enforce obedience to its orders, mandates, writs, precepts, and judgments, to preserve order, and to punish in a summary way contempts of, and disobedience to, its authority, orders, mandates, writs, precepts, or judgments, and to make all lawful orders, rules, and regulations which it may deem essential or conducive to the ends of justice. And the Sergeant-at-Arms, under the direction of the Senate, may employ such aid and assistance as may be necessary to enforce, execute, and carry into effect the lawful orders, mandates, writs, and precepts of the Senate.

VII. The Presiding Officer of the Senate shall direct all necessary preparations in the Senate Chamber, and the Presiding Officer on the trial shall direct all the forms of proceedings while the Senate is sitting for the purpose of trying an impeachment, and all forms during the trial not otherwise specially provided for. And the Presiding Officer on the trial may rule all questions of evidence and incidental questions, which ruling shall stand as the judgment of the Senate, unless some member of the Senate shall ask that a formal vote be taken thereon, in which case it shall be submitted to the Senate for decision; or he may at his option, in the first instance, submit any such question to a vote of the members of the Senate. Upon all such questions the vote shall be without a division, unless the yeas and nays be demanded by one-fifth of the members present, when the same shall be taken.

VIII. Upon the presentation of articles of impeachment and the organization of the Senate as hereinbefore provided, a writ of summons shall issue to the accused, reciting said articles, and notifying him to appear before the Senate upon a day and

at a place to be fixed by the Senate and named in such writ, and file his answer to said articles of impeachment, and to stand to and abide the orders and judgments of the Senate thereon; which writ shall be served by such officer or person as shall be named in the precept thereof, such number of days prior to the day fixed for such appearance as shall be named in such precept, either by the delivery of an attested copy thereof to the person accused, or if that can not conveniently be done, by leaving such copy at the last known place of abode of such person, or at his usual place of business in some conspicuous place therein; or if such service shall be, in the judgment of the Senate, impracticable, notice to the accused to appear shall be given in such other manner, by publication or otherwise, as shall be deemed just; and if the writ aforesaid shall fail of service in the manner aforesaid, the proceedings shall not thereby abate, but further service may be made in such manner as the Senate shall direct. If the accused, after service, shall fail to appear, either in person or by attorney, on the day so fixed therefor as aforesaid, or, appearing, shall fail to file his answer to such articles of impeachment, the trial shall proceed, nevertheless, as upon a plea of not guilty. If a plea of guilty shall be entered, judgment may be entered thereon without further proceedings.

IX. At 12.30 o'clock afternoon of the day appointed for the return of the summons against the person impeached, the legislative and executive business of the Senate shall be suspended, and the Secretary of the Senate shall administer an oath to the returning officer in the form following, viz: "I, ——— ———, do solemnly swear that the return made by me upon the process issued on the —— day of ———, by the Senate of the United

States, against ——— ———, is truly made, and that I have performed such service as therein described: So help me God." Which oath shall be entered at large on the records.

X. The person impeached shall then be called to appear and answer the articles of impeachment against him. If he appear, or any person for him, the appearance shall be recorded, stating particularly if by himself, or by agent or attorney, naming the person appearing and the capacity in which he appears. If he do not appear, either personally or by agent or attorney, the same shall be recorded.

XI. At 12.30 o'clock afternoon of the day appointed for the trial of an impeachment, the legislative and executive business of the Senate shall be suspended, and the Secretary shall give notice to the House of Representatives that the Senate is ready to proceed upon the impeachment of ——— ———, in the Senate Chamber, which chamber is prepared with accommodations for the reception of the House of Representatives.

XII. The hour of the day at which the Senate shall sit upon the trial of an impeachment shall be (unless otherwise ordered) 12 o'clock m.; and when the hour for such thing shall arrive, the Presiding Officer of the Senate shall so announce; and thereupon the Presiding Officer upon such trial shall cause proclamation to be made, and the business of the trial shall proceed. The adjournment of the Senate sitting in said trial shall not operate as an adjournment of the Senate; but on such adjournment the Senate shall resume the consideration of its legislative and executive business.

XIII. The Secretary of the Senate shall record the proceedings in cases of impeachment as in the case of legislative pro-

ceedings, and the same shall be reported in the same manner as the legislative proceedings of the Senate.

XIV. Counsel for the parties shall be admitted to appear and be heard upon an impeachment.

XV. All motions made by the parties or their counsel shall be addressed to the Presiding Officer, and if he, or any Senator, shall require it, they shall be committed to writing, and read at the Secretary's table.

XVI. Witnesses shall be examined by one person on behalf of the party producing them, and then cross-examined by one person on the other side.

XVII. If a Senator is called as a witness, he shall be sworn, and give his testimony standing in his place.

XVIII. If a Senator wishes a question to be put to a witness, or to offer a motion or order (except a motion to adjourn), it shall be reduced to writing, and put by the Presiding Officer.

XIX. At all times while the Senate is sitting upon the trial of an impeachment the doors of the Senate shall be kept open, unless the Senate shall direct the doors to be closed while deliberating upon its decisions.

XX. All preliminary or interlocutory questions, and all motions, shall be argued for not exceeding one hour on each side, unless the Senate shall, by order, extend the time.

XXI. The case, on each side, shall be opened by one person. The final argument on the merits may be made by two persons on each side (unless otherwise ordered by the Senate upon application for that purpose), and the argument shall be opened and closed on the part of the House of Representatives.

XXII. On the final question whether the impeachment is

sustained, the yeas and nays shall be taken on each article of impeachment separately; and if the impeachment shall not, upon any of the articles presented, be sustained by the votes of two-thirds of the members present, a judgment of acquittal shall be entered; but if the person accused in such articles of impeachment shall be convicted upon any of said articles by the votes of two-thirds of the members present, the Senate shall proceed to pronounce judgment, and a certified copy of such judgment shall be deposited in the office of the Secretary of State.

XXIII. All the orders and decisions shall be made and had by yeas and nays, which shall be entered on the record, and without debate, subject, however, to the operation of Rule VII, except when the doors shall be closed for deliberation, and in that case no member shall speak more than once on one question, and for not more than ten minutes on an interlocutory question, and for not more than fifteen minutes on the final question, unless by consent of the Senate, to be had without debate; but a motion to adjourn may be decided without the yeas and nays, unless they be demanded by one-fifth of the members present. The fifteen minutes herein allowed shall be for the whole deliberation on the final question, and not to the final question on each article of impeachment.

XXIV. Witnesses shall be sworn in the following form, viz: "You, ——— ———, do swear (or affirm, as the case may be) that the evidence you shall give in the case now pending between the United States and ——— ———, shall be the truth, the whole truth, and nothing but the truth: So help you God." Which oath shall be administered by the Secretary, or any other duly authorized person.

Form of a subpœna to be issued on the application of the managers of the impeachment, or of the party impeached, or of his counsel.

To ——— ———, greeting:

You and each of you are hereby commanded to appear before the Senate of the United States, on the —— day of ———, at the Senate Chamber in the city of Washington, then and there to testify your knowledge in the cause which is before the Senate in which the House of Representatives have impeached ——— ———.

Fail not.

Witness ——— ———, and Presiding Officer of the Senate, at the city of Washington, this —— day of ———, in the year of our Lord ———, and of the Independence of the United States the ———.

——— ———,
Presiding Officer of the Senate.

Form of direction for the service of said subpœna.

The Senate of the United States to ——— ———, greeting:

You are hereby commanded to serve and return the within subpœna according to law.

Dated at Washington, this —— day of ———, in the year of our Lord ———, and of the Independence of the United States the ———.

——— ———,
Secretary of the Senate.

Form of oath to be administered to the members of the Senate sitting in the trial of impeachments.

"I solemnly swear (or affirm, as the case may be) that in all things appertaining to the trial of the impeachment of ——— ———, now pending, I will do impartial justice according to the Constitution and laws: So help me God."

Form of summons to be issued and served upon the person impeached.

THE UNITED STATES OF AMERICA, *ss:*

The Senate of the United States to ——— ———, greeting:

Whereas the House of Representatives of the United States of America did, on the —— day of ———, exhibit to the Senate articles of impeachment against you, the said ——— ———, in the words following:

[Here insert the articles.]

And demand that you, the said ——— ———, should be put to answer the accusations as set forth in said articles, and that such proceedings, examinations, trials, and judgments might be thereupon had as are agreeable to law and justice;

You, the said ——— ———, are therefore hereby summoned to be and appear before the Senate of the United States of America, at their Chamber in the city of Washington, on the —— day of ———, at 12.30 o'clock afternoon, then and there to answer to the said articles of impeachment, and then and there to abide by, obey, and perform such orders, directions, and judgments as the Senate of the United States shall make in the premises according to the Constitution and laws of the United States.

Hereof you are not to fail.

Witness ——— ———, and Presiding Officer of the said Senate, at the city of Washington, this —— day of ———, in the year of our Lord ———, and of the independence of the United States the ———.

——— ———,

Presiding Officer of the Senate.

Form of precept to be indorsed on said writ of summons.

THE UNITED STATES OF AMERICA, *ss:*

The Senate of the United States to ——— ———, greeting:

You are hereby commanded to deliver to and leave with ——— ———, if conveniently to be found, or if not, to leave at his usual place of abode, or at his usual place of business in some conspicuous place, a true and attested copy of the within writ of summons, together with a like copy of this precept; and in whichsoever way you perform the service, let it be done at least —— days before the appearance day mentioned in the said writ of summons.

Fail not, and make return of this writ of summons and precept, with your proceedings thereon indorsed, on or before the appearance day mentioned in the said writ of summons.

Witness ——— ———, and Presiding Officer of the Senate, at the city of Washington, this —— day of ———, in the year of our Lord ———, and of the Independence of the United States the ———.

——— ———,
Presiding Officer of the Senate.

All process shall be served by the Sergeant-at-Arms of the Senate, unless otherwise ordered by the court.

XXV. If the Senate shall at any time fail to sit for the consideration of articles of impeachment on the day or hour fixed therefor, the Senate may, by an order to be adopted without debate, fix a day and hour for resuming such consideration.

THE CONSTITUTION OF THE UNITED STATES OF AMERICA.*

WE THE PEOPLE of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America.

Chisholm *v.* Georgia, 2 Dall., 419; McCulloch *v.* State of Maryland et al., 4 Wh., 316; Brown et als. *v.* Maryland, 12 Wh., 419; Barron *v.* The Mayor and City Council of Baltimore, 7 Pet., 243; Lane County *v.* Oregon, 7 Wall., 71; Texas *v.* White et al., 7 Wall., 700.

ARTICLE I.

SECTION. 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Hayburn's Case (notes), 2 Dall., 409.

*In May, 1785, a committee of Congress made a report recommending an alteration in the Articles of Confederation, but no action was taken on it, and it was left to the State Legislatures to proceed in the matter. In January, 1786, the Legislature of Virginia passed a resolution providing for the appointment of five commissioners, who, or any three of them, should meet such commissioners as might be appointed in the other States of the Union, at a time and place to be agreed upon, to take into consideration the trade of the United States; to consider how far a uniform system in their commercial regulations may be necessary to their common interest and their permanent harmony; and to report to the several States such an act, relative to this great object, as, when ratified by them, will enable the

SECTION. 2. [1] The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

In re Green, 134 U. S., 377.

[2] No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

United States in Congress effectually to provide for the same. The Virginia commissioners, after some correspondence, fixed the first Monday in September as the time, and the city of Annapolis as the place for the meeting, but only four other States were represented, viz: Delaware, New York, New Jersey, and Pennsylvania; the commissioners appointed by Massachusetts, New Hampshire, North Carolina, and Rhode Island failed to attend. Under the circumstances of so partial a representation, the commissioners present agreed upon a report, (drawn by Mr. Hamilton, of New York,) expressing their unanimous conviction that it might essentially tend to advance the interests of the Union if the States by which they were respectively delegated would concur, and use their endeavors to procure the concurrence of the other States, in the appointment of commissioners to meet at Philadelphia on the second Monday of May following, to take into consideration the situation of the United States; to devise such further provisions as should appear to them necessary to render the Constitution of the Federal Government adequate to the exigencies of the Union; and to report such an act for that purpose to the United States in Congress assembled as, when agreed to by them and afterwards confirmed by the Legislatures of every State, would effectually provide for the same.

Congress, on the 21st of February, 1787, adopted a resolution in favor of a convention, and the Legislatures of those States which had not already done so (with the exception of Rhode Island) promptly appointed delegates. On the 25th of May, seven States having convened, George Washington, of Virginia, was unanimously elected President, and the consideration of the proposed constitution was commenced. On the 17th of September, 1787, the Constitution as engrossed and agreed upon was signed by all the members present, except Mr. Gerry, of Massachusetts, and Messrs. Mason and Randolph, of Virginia. The president of the

[3]† [Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.] The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be

convention transmitted it to Congress, with a resolution stating how the proposed Federal Government should be put in operation, and an explanatory letter. Congress, on the 28th of September, 1787, directed the Constitution so framed, with the resolutions and letter concerning the same, to "be transmitted to the several Legislatures in order to be submitted to a convention of delegates chosen in each State by the people thereof, in conformity to the resolves of the convention."

On the 4th of March, 1789, the day which had been fixed for commencing the operations of Government under the new Constitution, it had been ratified by the conventions chosen in each State to consider it, as follows: Delaware, December 7, 1787; Pennsylvania, December 12, 1787; New Jersey, December 18, 1787; Georgia, January 2, 1788; Connecticut, January 9, 1788; Massachusetts, February 6, 1788; Maryland, April 28, 1788; South Carolina, May 23, 1788; New Hampshire, June 21, 1788; Virginia, June 26, 1788; and New York, July 26, 1788.

The President informed Congress, on the 28th of January, 1790, that North Carolina had ratified the Constitution November 21, 1789; and he informed Congress on the 1st of June, 1790, that Rhode Island had ratified the Constitution May 29, 1789. Vermont, in convention, ratified the Constitution January 10, 1791, and was, by an act of Congress approved February 18, 1791, "received and admitted into this Union as a new and entire member of the United States."

† The clause included in brackets is amended by the fourteenth amendment, second section, p. 221.

entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

Veazie Bank *v.* Fenno, 8 Wall., 533; Scholey *v.* Rew, 23 Wall., 331; Pollock *v.* Farmers' Loan & Trust Co., 157 U. S., 429.

[4]When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

[5]The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

SECTION. 3. [1]The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

[2]Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one-third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

[3]No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

[4]The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

[5]The Senate shall chuse their other Officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the Office of President of the United States.

[6]The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

[7]Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION. 4. [1]The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

Ex parte Siebold, 100 U. S., 371; Ex parte Yarborough, 110 U. S., 651.

[2]The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

SECTION. 5. [1]Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller

Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

In re Loney, 134 U. S., 372.

[2] Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

Anderson *v.* Dunn, 6 Wh., 204; Kilbourn *v.* Thompson, 103 U. S., 168; U. S. *v.* Bollin, 144 U. S., 1.

[3] Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

[4] Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

SECTION. 6. [1] The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

Coxe *v.* M'Clenachan, 3 Dall., 478.

[2] No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during

such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

SECTION. 7. [1]All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

[2]Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

[3]Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by

him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SECTION 8. The Congress shall have Power [1]To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Hylton *v.* United States, 3 Dall., 171; McCulloch *v.* State of Maryland, 4 Wh., 316; Loughborough *v.* Blake, 5 Wh., 317; Osborn *v.* Bank of the United States, 9 Wh., 738; Weston et al. *v.* City Council of Charleston, 2 Pet., 449; Dobbins *v.* The Commissioners of E..e County, 16 Pet., 435; License Cases, 5 How., 504; Cooley *v.* Board of Wardens of Port of Philadelphia et al., 12 How., 299; McGuire *v.* The Commonwealth, 3 Wall., 387; Van Allen *v.* The Assessors, 3 Wall., 573; Bradley *v.* The People, 4 Wall., 459.

License Tax Cases, 5 Wall., 462; Pervear *v.* The Commonwealth, 5 Wall., 475; Woodruff *v.* Parham, 8 Wall., 123; Hinson *v.* Lott, 8 Wall., 148; Veazie Bank *v.* Fenno, 8 Wall., 533; The Collector *v.* Day, 11 Wall., 113; United States *v.* Singer, 15 Wall., 111; State Tax on Foreign-held Bonds, 15 Wall., 300; United States *v.* Railroad Company, 17 Wall., 322; Railroad Company *v.* Peniston, 18 Wall., 5; Scholey *v.* Rew, 23 Wall., 331; Springer *v.* United States, 102 U. S., 586; Legal Tender Case, 110 U. S., 421; California *v.* Central Pacific Railroad Co., 127 U. S., 1; Ratterman *v.* Western Union Telegraph Co., 127 U. S., 411; Leloup *v.* Port of Mobile, 127 U. S., 640; Field *v.* Clark, 143 U. S., 649; Pollock *v.* Farmers' Loan & Trust Co., 157 U. S., 429.

[2]To borrow Money on the credit of the United States;

McCulloch *v.* The State of Maryland, 4 Wh., 316; Weston et al. *v.* The City Council of Charleston, 2 Pet., 449; Bank of Commerce *v.* New York City, 2 Black, 620; Bank Tax Cases, 2 Wall., 200; The Banks *v.* The Mayor, 7 Wall., 16; Bank *v.* Supervisors, 7 Wall., 26; Hepburn *v.* Griswold, 8 Wall., 603; National Bank *v.* Commonwealth, 9 Wall., 353; Parker *v.* Davis, 12 Wall., 457; Legal Tender Case, 110 U. S., 421.

[3]To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Gibbons *v.* Ogden, 9 Wh., 1; Brown et als. *v.* State of Maryland, 12 Wh., 419; Wilson et al. *v.* Black Bird Creek Marsh Company, 2 Pet., 245; Worcester *v.* The State of Georgia, 6 Pet., 515; City of New York *v.* Miln, 11 Pet., 102; United States *v.* Coombs, 12 Pet., 72;

Holmes *v.* Jennison et al., 14 Pet., 540; License Cases, 5 How., 504; Passenger Cases, 7 How., 283; Nathan *v.* Louisiana, 8 How., 73; Mager *v.* Grima et al., 8 How., 490; United States *v.* Marigold, 9 How., 560; Cowley *v.* Board of Wardens of Port of Philadelphia, 12 How., 299; The Propeller Genesee Chief et al. *v.* Fitzhugh et al., 12 How., 443; State of Pennsylvania *v.* The Wheeling Bridge Co., 13 How., 518; Veazie et al. *v.* Moore, 14 How., 568; Smith *v.* State of Maryland, 18 How., 71; State of Pennsylvania *v.* The Wheeling and Belmont Bridge Co. et al., 18 How., 421; Sinnitt *v.* Davenport, 22 How., 227; Foster et al. *v.* Davenport et al., 22 How., 244; Conway et al. *v.* Taylor's Ex., 1 Black, 603; United States *v.* Holliday, 3 Wall., 407; Gilman *v.* Philadelphia, 3 Wall., 713; The Passaic Bridges, 3 Wall., 782; Steamship Company *v.* Port Wardens, 6 Wall., 31; Crandall *v.* State of Nevada, 6 Wall., 35; White's Bank *v.* Smith, 7 Wall., 646; Waring *v.* The Mayor, 8 Wall., 110; Paul *v.* Virginia, 8 Wall., 168; Thomson *v.* Pacific Railroad, 9 Wall., 579; Downham et al. *v.* Alexandria Council, 10 Wall., 173; The Clinton Bridge, 10 Wall., 454; The Daniel Ball, 10 Wall., 557; Liverpool Insurance Company *v.* Massachusetts, 10 Wall., 566; The Montello, 11 Wall., 411; Ex parte McNiel, 13 Wall., 236; State Freight Tax, 15 Wall., 232; State Tax on Railway Gross Receipts, 15 Wall., 284; Osborn *v.* Mobile, 16 Wall., 479; Railroad Company *v.* Fuller, 17 Wall., 560; Bartemeyer *v.* Iowa, 18 Wall., 129; The Delaware Railroad Tax, 18 Wall., 206; Peete *v.* Morgan, 19 Wall., 581; Railroad Company *v.* Richmond, 19 Wall., 584; B. and O. Railroad Company *v.* Maryland, 21 Wall., 456; The Lottawanna, 21 Wall., 558; Henderson et al. *v.* The Mayor of the City of New York, 92 U. S., 259; Chy Lung *v.* Freeman et al., 92 U. S,, 275; South Carolina *v.* Georgia et al., 93 U. S., 4; Sherlock et al. *v.* Alling, adm., 93 U. S., 99; United States *v.* Forty-three Gallons of Whisky, etc., 93 U. S., 188; Foster *v.* Master and Wardens of the Port of New Orleans, 94 U. S., 246; Railroad Co. *v.* Husen, 95 U. S., 465; Pensacola Tel. Co. *v.* W. U. Tel. Co., 96 U. S., 1; Beer Co. *v.* Massachusetts, 97 U. S., 25; Cook *v.* Pennsylvania, 97 U. S., 566; Packet Co. *v.* St. Louis, 100 U. S., 423; Wilson *v.* McNamee, 102 U. S., 572; Moran *v.* New Orleans, 112 U. S., 69; Head Money Cases, 112 U. S., 580; Cooper Mfg. Co. *v.* Ferguson, 113 U. S., 727; Gloucester Ferry Co. *v.* Pennsylvania, 114 U. S., 196; Brown *v.* Houston, 114 U. S., 622; Walling *v.* Michigan, 116 U. S., 446; Pickard *v.* Pullman Southern Car Co., 117 U. S., 34; Tennessee *v.* Pullman Southern Car Co., 117 U. S., 51; Spraigue *v.* Thompson, 118 U. S., 90; Morgan *v.* Louisiana, 118 U. S., 455; Wabash, St. Louis and Pacific Ry. *v.* Illinois, 118 U. S., 557; Huse *v.* Glover, 119 U. S., 543; Robbins *v.* Shelby Co. Taxing Dist., 120 U. S., 489; Corson *v.* Maryland, 120 U. S., 502; Barron *v.* Burnside, 121 U. S., 186; Fargo *v.* Michigan, 121 U. S., 230; Ouachita Packet Co. *v.* Aiken, 121 U. S., 444; Phila. and Southern S. S. Co. *v.* Penna., 122 U. S., 326; W. U. Tel. Co. *v.* Pendleton, 122 U. S., 347; Sands *v.* Manistee River Imp. Co., 123 U. S., 288; Smith *v.* Alabama, 124 U. S., 465; Willamette Iron Bridge Co. *v.* Hatch, 125 U. S., 1; Pembina Mine Co. *v.* Penna., 125 U. S., 181; Bowman *v.* Chicago Northwestern Rwy. Co., 125 U. S., 465; Western Union Tel. Co. *v.* Mass., 125 U. S., 530; California *v.* Central Pacific R. R. Co., 127 U. S., 1; Leloup *v.* Port of Mobile, 127

U. S., 640; Kidd *v.* Pearson, 128 U. S., 1; Asher *v.* Texas, 128 U. S., 129; Stoutenberg *v.* Hennick, 129 U. S., 141; Western Union Tel. Co. *v.* Alabama, 132 U. S., 472; Fritts *v.* Palmer, 132 U. S., 282; Louisville, N. O., &c., Railway *v.* Mississippi, 133 U. S., 587; Leisy *v.* Hardin, 135 U. S., 100; Lyng *v.* Michigan, 135 U. S., 161; Cherokee Nation *v.* Kansas Railway Co., 135 U. S., 641; McCall *v.* California, 136 U. S., 104; Norfolk & Western R. Rd. *v.* Pennsylvania, 136 U. S., 114; Minnesota *v.* Barber, 136 U. S., 313; Texas & Pacific Ry. Co. *v.* Southern Pacific Co., 137 U. S., 48; Brimmer *v.* Rebman, 138 U. S., 78; Manchester *v.* Mass., 139 U. S., 240; In re Rahrer, 140 U. S., 545; Pullman Palace Car Co. *v.* Penna., 141 U. S., 18; Pullman Palace Car Co. *v.* Hayward, 141 U. S., 36; Mass. *v.* West'n Union Tel. Co., 141 U. S., 40; Crutcher *v.* Kentucky, 141 U. S., 47; Henderson Bridge Co. *v.* Henderson, 141 U. S., 679; In re Garnett, 141 U.S., 1; Maine *v.* Grand Trunk Ry. Co., 142 U. S., 217; Mishimura Ekin *v.* U. S., 142 U. S., 651; Pacific Ex. Co. *v.* Seibert, 142 U. S., 339; Horn Silver Mining Co. *v.* New York, 143 U. S., 305; Chic. & Grand Trunk Ry. Co. *v.* Wellman, 143 U. S., 339; Budd *v.* N. Y., 143 U. S., 517; Ficklen *v.* Shelby Co. Taxing Dist., 145 U. S., 1; Lehigh Valley R. Rd. *v.* Pennsylvania, 145 U. S., 192; Interstate Commerce Comm'n *v.* B. & O. R. Rd., 145 U. S., 264; Brennan *v.* Titusville, 153 U. S., 289; Brass *v.* Stoeser, 153 U. S., 391; Ashley *v.* Ryan, 153 U. S., 436; Luxton *v.* N. River Bridge Co., 153 U. S., 529; Erie R. Rd. *v.* Penna., 153 U. S., 628; Postal Tel. Cable Co. *v.* Charleston, 153 U. S., 692; Covington & Cinc'ti Bridge Co. *v.* Ky., 154 U. S., 204; Plumley *v.* Mass., 155 U. S., 461; Texas & Pacific Rwy. Co. *v.* Interstate Transfer Co., 155 U. S., 585; Hooper *v.* Calif., 155 U. S., 648; Postal Tel. Cable Co. *v.* Adams, 155 U. S., 688; U. S. *v.* E. C. Knight & Co., 156 U. S., 1; Ernest *v.* Missouri, 156 U. S., 296; N. Y., L. E. & West'n *v.* Penna., 158 U. S., 431; Pittsburgh & So. Coal Co. *v.* Bates, 156 U. S., 577; Pittsburgh & So. Coal Co. *v.* La., 156 U. S., 590; Gulf, Colo. & S. F. Rwy. Co. *v.* Hefley, 158 U. S., 98; In re Debs, 158 U. S., 564.

[4] To establish an uniform Rule of Naturalization,[1] and uniform Laws on the subject of Bankruptcies throughout the United States;[2]

[2] Sturges *v.* Crowninshield, 4 Wh., 122; [2] McMillan *v.* McNeil, 4 Wh., 209; [2] Farmers and Mechanics' Bank, Pennsylvania, *v.* Smith, 6 Wh., 131; [2] Ogden *v.* Saunders, 12 Wh., 213; [2] Boyle *v.* Zacharie and Turner, 6 Pet., 348; [1] Gassies *v.* Ballon, 6 Pet., 761; [2] Beers et al. *v.* Haughton, 9 Pet., 329; [2] Suydam et al. *v.* Broadnax, 14 Pet., 67; [2] Cook *v.* Moffat et al., 5 How., 295; [1] Dred Scott *v.* Sanford, 19 How., 393.

[5] To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

Briscoe *v.* The Bank of the Commonwealth of Kentucky, 11 Pet., 257; Fox *v.* The State of Ohio, 5 How., 410; United States *v.* Marigold, 9 How., 560.

[6] To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

Fox *v.* The State of Ohio, 5 How., 410; United States *v.* Marigold, 9 How., 560.

[7] To establish Post Offices and post Roads;

State of Pennsylvania *v.* The Wheeling and Belmont Bridge Company, 18 How., 421; Homer *v.* U. S., 143 U. S., 207; In re Rapier, 143 U. S., 110; In re Debs, 158 U. S., 564.

[8] To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

Grant et al. *v.* Raymond, 6 Pet., 218; Wheaton et als. *v.* Peters et als., 8 Pet., 591.

[9] To constitute Tribunals inferior to the supreme Court;

[10] To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;

United States *v.* Palmer, 3 Wh., 610; United States *v.* Wiltberger, 5 Wh., 76; United States *v.* Smith, 5 Wh., 153; United States *v.* Pirates, 5 Wh., 184; United States *v.* Arizona, 120 U. S., 479.

[11] To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

Brown *v.* United States, 8 Cr., 110; American Insurance Company et al. *v.* Canter (356 bales cotton), 1 Pet., 511; Mrs. Alexander's Cotton, 2 Wall., 404; Miller *v.* United States, 11 Wall., 268; Tyler *v.* Defrees, 11 Wall., 331; Stewart *v.* Kahn, 11 Wall., 493; Hamilton *v.* Dillin, 21 Wall., 73; Lamar, ex., *v.* Browne et al., 92 U. S., 187.

[12] To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

Crandall *v.* State of Nevada, 6 Wall., 32.

[13] To provide and maintain a Navy;

United States *v.* Bevans, 3 Wh., 336; Dynes *v.* Hoover, 20 How., 65.

[14] To make Rules for the Government and Regulation of the land and naval Forces;

[15] To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

Houston *v.* Moore, 5 Wh., 1; Martin *v.* Mott, 12 Wh., 19; Luther *v.* Borden, 7 How., 1; Crandall *v.* State of Nevada, 6 Wall., 35; Texas *v.* White, 7 Wall., 700.

[16] To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

Houston *v.* Moore, 5 Wh., 1; Martin *v.* Mott, 12 Wh., 19; Luther *v.* Borden, 7 How., 1.

[17] To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

Hepburn et al. *v.* Ellzey, 2 Cr., 444; Loughborough *v.* Blake, 5 Wh., 317; Cohens *v.* Virginia, 6 Wh., 264; American Insurance Company *v.* Canter (356 bales cotton), 1 Pet., 511; Kendall, Postmaster-General, *v.* The United States, 12 Pet., 524; United States *v.* Dewitt, 9 Wall., 41; Dunphy *v.* Kleinsmith et al., 11 Wall., 610; Willard *v.* Presbury, 14 Wall., 676; Phillips *v.* Payne, 92 U. S., 130; United States *v.* Fox, 94 U. S., 315; National Bank *v.* Yankton County, 101 U. S., 129; Ft. Leavenworth R. Rd. Co. *v.* Howe, 114 U. S., 525; Benson *v.* U. S., 146 U. S., 325; Shoemaker *v.* U. S., 147 U. S., 282.

[18] To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other

Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

McCulloch *v.* The State of Maryland, 4 Wh., 316; Wayman *v.* Southard, 10 Wh., 1; Bank of United States *v.* Halstead, 10 Wh., 51; Hepburn *v.* Griswold, 8 Wall., 603; National Bank *v.* Commonwealth, 9 Wall., 353; Thomson *v.* Pacific Railroad, 9 Wall., 579; Parker *v.* Davis, 12 Wall., 457; Railroad Company *v.* Johnson, 15 Wall., 195; Railroad Company *v.* Peniston, 18 Wall., 5; Legal Tender Case, 110 U. S., 421; In re Coy, 127 U. S., 731; Stoutenburgh *v.* Hennick, 129 U. S., 141; Chinese Ex. Case, 130 U. S., 581; In re Neagle, 135 U. S., 1; St. Paul, Minneapolis & Manitoba Ry. Co. *v.* Phelps, 137 U. S., 528; Homer *v.* U. S., 143 U. S., 570; Logan *v.* U. S., 144 U. S., 263; Fong-Yue Ting *v.* U. S., 149 U. S., 698; Lees *v.* U. S., 150 U. S., 476; Luxton *v.* North River Bridge Co., 153 U. S., 529; Erie R. Rd. *v.* Penna., 153 U. S., 628; Postal Tel. Cable Co. *v.* Charleston, 153 U. S., 692; Clune *v.* U. S, 159 U. S., 590.

SECTION 9. [1]The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

Dred Scott *v.* Sanford, 19 How., 393.

[2]The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

United States *v.* Hamilton, 3 Dall., 17; Hepburn et al. *v.* Ellzey, 2 Cr., 445; Ex parte Bollman and Swartwout, 4 Cr., 75; Ex parte Kearney 7 Wh., 38; Ex parte Tobias Watkins, 3 Pet., 192; Ex parte Milburn, 9 Pet., 704; Holmes *v.* Jennison et al., 14 Pet., 540; Ex parte Dorr, 3 How., 103; Luther *v.* Borden, 7 How., 1; Ableman *v.* Booth and United States *v.* Booth, 21 How., 506; Ex parte Vallindigham, 1 Wall., 243; Ex parte Mulligan, 4 Wall., 2; Ex parte McCardle, 7 Wall., 506; Ex parte Yerger, 8 Wall., 85; Tarble's Case, 13 Wall., 397; Ex parte Lange, 18 Wall., 16; Ex parte Parks, 93 U. S., 18; Ex parte Karstendick, 93 U. S., 396; Ex parte Virginia, 100 U. S., 339; In re Neagle, 135 U. S., 1; In re Duncan, 139 U. S., 449.

[3]No Bill of Attainder or ex post facto Law shall be passed.

Fletcher *v.* Peck, 6 Cr., 87; Ogden *v.* Saunders, 12 Wh., 213; Watson et al. *v.* Mercer, 8 Pet., 88; Carpenter et al. *v.* Common-

wealth of Pennsylvania, 17 How., 456; Locke *v.* New Orleans, 4 Wall., 172; Cummings *v.* The State of Missouri, 4 Wall., 277; Ex parte Garland, 4 Wall., 333; Drehman *v.* Stifle, 8 Wall., 595; Klinger *v.* State of Missouri, 13 Wall., 257; Pierce *v.* Carskadon, 16 Wall., 234; Holden *v.* Minnesota, 137 U. S., 483; Cook *v.* U. S., 138 U. S., 157.

[4] No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

License Tax Cases, 5 Wall., 462; Springer *v.* United States, 102 U. S., 586; Pollock *v.* Farmers' Loan & Trust Co., 157 U. S., 429.

[5] No Tax or Duty shall be laid on Articles exported from any State.

Cooley *v.* Board of Wardens of Port of Philadelphia, 12 How., 299; Page *v.* Burgess, collector, 92 U. S., 372; Turpin *v.* Burgess, 117 U. S., 504; Pittsburgh & Southern Coal Co. *v.* Bates, 156 U. S., 577.

[6] No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

Cooley *v.* Board of Wardens of Port of Philadelphia et al., 12 How., 299; State of Pennsylvania *v.* Wheeling and Belmont Bridge Company et al., 18 How., 421; Munn *v.* Illinois, 94 U. S., 113; Packet Co. *v.* St. Louis, 100 U. S., 413; Packet Co. *v.* Catlettsburg, 105 U. S., 559; Morgan S. S. Co. *v.* La. Board of Health, 118 U. S., 455.

[7] No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

[8] No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

SECTION 10. [1] No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit;[1] make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law,[2] or Law impairing the Obligation of Contracts,[3] or grant any Title of Nobility.

[2] Calder and Wife *v.* Bull and Wife, 3 Dall., 386; [3] Fletcher *v.* Peck, 6 Cr., 87; [3] State of New Jersey *v.* Wilson, 7 Cr., 164; [3] Sturgis *v.* Crowninshield, 4 Wh., 122; [3] McMillan *v.* McNeil, 4 Wh., 209; [3] Dartmouth College *v.* Woodward, 4 Wh., 518; [3] Owings *v.* Speed, 5 Wh., 420; [3] Farmers and Mechanics' Bank *v.* Smith, 6 Wh., 131; [3] Green et. al. *v.* Biddle, 8 Wh., 1; [3] Ogden *v.* Saunders, 12 Wh., 213; [3] Mason *v.* Haile, 12 Wh., 370; [3] Satterlee *v.* Matthewson, 2 Pet., 380; [3] Hart *v.* Lamphire, 3 Pet., 280; [1] Craig et al. *v.* State of Missouri, 4 Pet., 410; [3] Providence Bank *v.* Billings and Pitman, 4 Pet., 514; [1] Byrne *v.* State of Missouri, 8 Pet., 40; [2] Watson, *v.* Mercer, 8 Pet., 88; [3] Mumma *v.* Potomac Company, 8 Pet., 281; [3] Beers *v.* Haughton, 9 Pet., 329; [1] Briscoe et al. *v.* The Bank of the Commonwealth of Kentucky, 11 Pet., 257; [3] The Proprietors of Charles River Bridge *v.* The Proprietors of Warren Bridge, 11 Pet., 420; [3] Armstrong *v.* The Treasurer of Athens Company, 16 Pet., 281; [3] Bronson *v.* Kinzie et al., 1 How., 311; [3] McCracken *v.* Hayward, 2 How., 608; [3] Gordon *v.* Appeal Tax Court, 3 How., 133; [3] State of Maryland *v.* Baltimore and Ohio R. R. Co., 3 How., 534; [3] Neil, Moore & Co., *v.* State of Ohio, 3 How., 720; [3] Cook *v.* Moffatt, 5 How., 295; [3] Planters' Bank *v.* Sharp et al., 6 How., 301; [3] West River Bridge Company *v.* Dix et al., 6 How., 507; [3] Crawford et al. *v.* Branch Bank of Mobile, 7 How., 279; [3] Woodruff *v.* Trapnall, 10 How., 190; [3] Paup et al. *v.* Drew, 10 How., 218; [2], [3] Baltimore and Susquehanna R. R. Co. *v.* Nesbitt et al., 10 How., 395; [3] Butler et al. *v.* Pennsylvania, 10 How., 402; [1] Darrington et al. *v.* The Bank of Alabama, 13 How., 12; [3] Richmond, etc., R. R. Co., *v.* The Louise R. R. Co., 13 How., 71; [3] Trustees for Vincennes University *v.* State of Indiana, 14 How., 268; [3] Curran *v.* State of Arkansas et al., 15 How., 304; [3] State Bank of Ohio *v.* Knoop, 16 How., 369; [2] Carpenter et al. *v.* Commonwealth of Pennsylvania, 17 How., 456; [3] Dodge *v.* Woolsey, 18 How., 331; [3] Beers *v.* State of Arkansas, 20 How., 527; [3] Aspinwall et al. *v.* Commissioners of County of Daviess, 22 How., 364; [3] Rector of Christ Church, Philadelphia, *v.* County of Philadelphia, 24 How., 300; [3] Howard *v.* Bugbee, 24 How., 461; [3] Jefferson Branch Bank *v.* Skelley, 1 Black, 436; [3] Franklin Branch Bank *v.* State of Ohio, 1 Black, 474; [3] Trustees of the Wabash and Erie Canal Company *v.* Beers, 2 Black, 448; [3] Gilman *v.* City of Sheboygan, 2 Black, 510; [3] Bridge Proprietors *v.* Hoboken Company, 1 Wall., 116; [3] Hawthorne *v.* Calef, 2 Wall., 10; [3] The Binghamton Bridge, 3 Wall., 51; [3] The Turnpike Company *v.* The State, 3 Wall., 210; [2] Locke *v.* City of New Orleans, 4 Wall., 172; [3] Railroad Company *v.* Rock, 4 Wall., 177; [3] Cum-

mings *v.* State of Missouri, 4 Wall., 277; [2]Ex parte Garland, 4 Wall., 333; [3]Von Hoffman *v.* City of Quincy, 4 Wall., 535; [3]Mulligan *v.* Corbin, 7 Wall., 487; [3]Furman *v.* Nichol, 8 Wall., 44; [3]Home of the Friendless *v.* Rouse, 8 Wall., 430; [3]The Washington University *v.* Rouse, 8 Wall., 439; [3]Butz *v.* City of Muscatine, 8 Wall., 575; [3]Drehman *v.* Stifle, 8 Wall., 595; [3]Hepburn *v.* Griswold, 8 Wall., 603; [2]Gut *v.* The State, 9 Wall., 35; [3]Railroad Company *v.* McClure, 10 Wall., 511; [3]Parker *v.* Davis, 12 Wall., 457; [3]Curtis *v.* Whiting, 13 Wall., 68; [3]Pennsylvania College Cases, 13 Wall., 190; [3]Wilmington R. R. *v.* Reid, sheriff, 13 Wall., 264; [3]Salt Company *v.* East Saginaw, 13 Wall., 373; [3]White *v.* Hart, 13 Wall., 646; [3]Osborn *v.* Nicholson et al., 13 Wall., 654; [3]Railroad Company *v.* Johnson, 15 Wall., 195; [3]Case of the State Tax on Foreign-held Bonds, 15 Wall., 300; [3]Tomlinson *v.* Jessup, 15 Wall., 454; [3]Tomlinson *v.* Branch, 15 Wall., 460; [3]Miller *v.* The State, 15 Wall., 478; [3]Holyoke Company *v.* Lyman, 15 Wall., 500; [3]Gunn *v.* Barry, 15 Wall., 610; [3]Humphrey *v.* Pegues, 16 Wall., 244; [3]Walker *v.* Whitehead, 16 Wall., 314; [3]Sohn *v.* Waterson, 17 Wall., 596; [3]Barings *v.* Dabney, 19 Wall., 1; [3]Head *v.* The University, 19 Wall., 526; [3]Pacific R. R. Co. *v.* Maguire, 20 Wall., 36; [3]Garrison *v.* The City of New York, 21 Wall., 196; [3]Ochiltree *v.* The Railroad Company, 21 Wall., 249; [3]Wilmington, &c., Railroad *v.* King, ex., 91 U. S., 3; [3]County of Moultrie *v.* Rockingham Ten Cent Savings Bank, 92 U. S., 631; [3]Home Insurance Company *v.* City Council of Augusta, 93 U. S., 116; [3]West Wisconsin R. R. Co. *v.* Supervisors, 93 U. S., 595; Murray *v.* Charleston, 96 U. S., 432; Edwards *v.* Kearzey, 96 U. S., 595; Keith *v.* Clark, 97 U. S., 454; Railroad Co. *v.* Georgia, 98 U. S., 359; Railroad Co. *v.* Tennessee, 101 U. S., 337; Wright *v.* Nagle, 101 U. S., 791; Stone *v.* Mississippi, 101 U. S., 814; Railroad Co. *v.* Alabama, 101 U. S., 832; Louisiana *v.* New Orleans, 101 U. S., 203; Hall *v.* Wisconsin, 103 U. S., 5; Pennyman's Case, 103 U. S., 714; Guaranty Co. *v.* Board of Liquidation, 105 U. S., 622; Greenwood *v.* Freight Co., 105 U. S., 13; Kring *v.* Missouri, 107 U. S., 221; Louisiana *v.* New Orleans, 109 U. S., 285; Gilfillan *v.* Union Canal Co., 109 U. S., 401; Nelson *v.* St. Martin's Parish, 111 U. S., 716; Chic. Life Ins. Co. *v.* Needles, 113 U. S., 574; Virginia Coupon Cases, 114 U. S., 270; Amy *v.* Shelby Co., 114 U. S., 387; Effinger *v.* Kenney, 115 U. S., 566; N. Orleans Gas Co. *v.* La. Light Co., 115 U. S., 650; N. Orleans Water Works *v.* Rivers, 115 U. S., 674; Louisville Gas Co. *v.* Citizens' Gas Co., 115 U. S., 683; Fisk *v.* Jefferson Police Jury, 116 U. S., 131; Stone *v.* Farmers' Loan and Trust Co., 116 U. S., 307; Stone *v.* Ill. Central R. R. Co., 116 U. S., 347; Royall *v.* Virginia, 116 U. S., 572; St. Tammany Water Works *v.* N. Orleans Water Works, 120 U. S., 64; Church *v.* Kelsey, 121 U. S., 282; Lehigh Water Co. *v.* Easton, 121 U. S., 388; Seibert *v.* Lewis, 122 U. S., 284; N. Orleans Water Works *v.* La. Sugar Ref. Co., 125 U. S., 18; Maynard *v.* Hill, 125 U. S., 140; Jaehne *v.* N. Y., 128 U. S., 189; Denny *v.* Bennett, 128 U. S., 489; Chinese Ex. Case, 130 U. S., 588; Williamson *v.* N. J., 130 U. S., 189; Hunt *v.* Hunt, 131 U. S., clxv; Freeland *v.* Williams, 131 U. S., 405; Campbell *v.* Wade, 134 U. S., 34; Penna. R. Rd. Co. *v.* Miller, 134 U. S., 75; Hans *v.* Louisiana, 134 U. S., 1; North Carolina *v.* Temple, 134 U S., 22; Crenshaw *v.* U. S., 134 U. S., 99; Louisiana ex rel. The N. Y. Guaranty and

Indemnity Co. *v.* Steele, 134 U. S., 280; Minneapolis Eastern Rwy. Co. *v.* Minnesota, 134 U. S., 467; Hill *v.* Merchants' Ins. Co., 134 U. S., 515; Medley, petitioner, 134 U. S., 160; Cherokee Nation *v.* Kansas Ry. Co., 641; Virginia Coupon Cases, 135 U. S., 662; Mormon Church *v.* U. S., 136 U. S., 1; Wheeler *v.* Jackson, 137 U. S., 245; Holden *v.* Minnesota, 137 U. S., 483; Sioux City Street Railway Co. *v.* Sioux City, 138 U. S., 98; Cook *v.* U. S., 138 U. S., 157; Belmont Bridge Co. *v.* Wheeling Bridge Co., 138 U. S., 287; Cook County *v.* Calumet and Chicago Canal Co., 138 U. S., 635; Pennoyer *v.* McConnaughy, 139 U. S., 1; Scotland County Court *v.* Hill, 139 U. S., 41; Scott *v.* Neely, 139 U. S., 106; Essex Public Road Board *v.* Shinkle, 140 U. S., 334; Stein *v.* Bienville Water Supply Co., 141 U. S., 67; Henderson Bridge Co. *v.* Henderson, 141 U. S., 679; New Orleans *v.* N. O. Water W'ks, 142 U. S., 79; Pacific Ex. Co. *v.* Seibert, 142 U. S., 339; N. O. City & Lake R. Rd. Co. *v.* New Orleans; Winona & St. Peter R. Rd. Co. *v.* Plainview, 143 U. S., 371; Louisville Water Co. *v.* Clark, 143 U. S., 1; N. Y. *v.* Squire, 145 U. S., 175; Brown *v.* Smart, 145 U. S., 454; Baker's Exrs. *v.* Kilgore, 145 U. S., 487; Morley *v.* Lake Shore & Mich. Southern Ry. Co., 146 U. S., 162; Hamilton, Ga., Ltd., Coke Co. *v.* Hamilton, 146 U. S., 258; Wilmington & Weldon R. Rd. Co. *v.* Alsbrook, 146 U. S., 279; Butley *v.* Gorley, 146 U. S., 303; Ills. Cent. R. Rd. *v.* Ills., 146 U. S., 387; Morley *v.* Lake Shore & Mich. So. Rwy. Co., 146 U. S., 162; Hamilton Gas L't Co. *v.* Hamilton City, 146 U. S., 258; Wil. & Wel. R. R. Co. *v.* Alsbrook, 146 U. S., 279; Ill. Cent. R. Rd. Co. *v.* Illinois, 146 U. S., 387; Bier *v.* McGehee, 148 U. S., 137; Schurz *v.* Cook, 148 U. S., 397; Eustis *v.* Bolles, 150 U. S., 361; Duncan *v.* Missouri, 152 U. S., 377; Israel *v.* Arthur, 152 U. S., 355; New Orleans *v.* Benjamin, 153 U. S., 411; Eagle Ins. Co. *v.* Ohio, 153 U. S., 446; Erie R. Rd. *v.* Penna, 153 U. S., 628; Mobile & Ohio R. Rd. *v.* Tenn., 153 U. S., 486; Pittsburgh & So. Coal Co. *v.* La., 156 U. S., 590; U. S. ex rel. Siegel *v.* Thoman, 156 U. S., 353; City and Lake R. Rd. *v.* N. O., 157 U. S., 219; Central Land Co. *v.* Laidley, 159 U. S. 103; Winona & St. Peter Land Co. *v.* Minn., 159 U. S., 528.

[2] No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

McCulloch *v.* State of Maryland, 4 Wh., 316; Gibbons *v.* Ogden, 9 Wh., 1; Brown *v.* The State of Maryland, 12 Wh., 419; Mager *v.* Grima et al., 8 How., 490; Cooley *v.* Board of Wardens of Port of Philadelphia et al., 12 How., 299; Almy *v.* State of California, 24 How., 169; License Tax Cases, 5 Wall., 462; Crandall *v.* State of

Nevada, 6 Wall., 35; Waring *v.* The Mayor, 8 Wall., 110; Woodruff *v.* Perham, 8 Wall., 123; Hinson *v.* Lott, 8 Wall., 148; State Tonnage Tax Cases, 12 Wall., 204; State Tax on Railway Gross Receipts, 15 Wall., 284; Inman Steamship Company *v.* Tinker, 94 U. S., 238; Cook *v.* Pennsylvania, 97 U. S., 566; Packet Co. *v.* Keokuk, 95 U. S. 80; People *v.* Compagnie Générale Transatlantique, 107 U. S., 59; Brown *v.* Houston, 114 U. S., 622; Pittsburgh & So. Coal Co. *v.* Bates, 156 U. S., 577; Pittsburgh & So. Coal Co. *v.* La., 156 U. S., 590.

[3]No State shall, without the Consent of Congress, lay any duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

Green *v.* Biddle, 8 Wh., 1; Poole et al. *v.* The Lessee of Fleeger et al., 11 Pet., 185; Cooley *v.* Board of Wardens of Port of Philadelphia et al., 12 How., 299; Peete *v.* Morgan, 19 Wall., 581; Cannon *v.* New Orleans, 20 Wall., 577; Inman Steam-ship Company *v.* Tinker, 94 U. S., 238; Packet Co. *v.* St. Louis, 100 U. S., 423; Packet Co. *v.* Keokuk, 95 U. S., 80; Vicksburg *v.* Tobin, 100 U. S., 430; Packet Co. *v.* Catlettsburg, 105 U. S., 559; Morgan Steamship Company *v.* Louisiana Board of Health, 118 U. S., 455; Ouachita Packet Co. *v.* Aiken, 121 U. S., 444; Huse *v.* Glover, 119 U. S., 543; Harmon *v.* Chicago, 147 U. S., 396; Va. *v.* Tenn., 148 U. S., 503; Wharton *v.* Wise, 153 U. S., 155.

ARTICLE II.

SECTION 1. [1]The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice-President, chosen for the same Term, be elected, as follows

[2]Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

Chisholm, ex., *v.* Georgia, 2 Dall., 419; Leitensdorfer et al. *v.* Webb, 20 How., 176; Ex parte Siebold, 100 U. S., 271; McPherson *v.* Blacker, 146 U. S., 1.

* [The Electors shall meet in their respective States, and vote by Ballot for two persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice-President.]

[3] The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

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*This clause has been superseded by the twelfth amendment, p. 217.

[4] No person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.

English *v.* The Trustees of the Sailors' Snug Harbor, 3 Pet., 99.

[5] In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

[6] The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Pollock *v.* Farmers' Loan & Trust Co., 157 U. S., 429.

[7] Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

SECTION 2. [1] The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing,

of the principal Officer in each of the executive Departments, upon any subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment.

United States *v.* Wilson, 7 Pet., 150; Ex parte William Wells, 18 How., 307; Ex parte Garland, 4 Wall., 333; Armstrong's Foundry, 6 Wall., 766; The Grape Shot, 9 Wall., 129; United States *v.* Padelford, 9 Wall., 542; United States *v.* Klein, 13 Wall., 128; Armstrong *v.* The United States, 13 Wall., 152; Pargoud *v.* The United States, 13 Wall., 156; Hamilton *v.* Dillin, 21 Wall., 73; Mechanics and Traders' Bank *v.* Union Bank, 22 Wall., 276; Lamar, ex., *v.* Browne et al., 92 U. S., 187; Wallach et al. *v.* Van Riswick, 92 U. S., 202.

[2]He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

Ware *v.* Hylton et al., 3 Dall., 199; Marbury *v.* Madison, 1 Cr., 137; United States *v.* Kirkpatrick, 9 Wh., 720; American Insurance Company *v.* Canter (356 bales cotton), 1 Pet., 511; Foster and Elam *v.* Neilson, 2 Pet., 253; Cherokee Nation *v.* State of Georgia, 5 Pet., 1; Patterson *v.* Gwinn et al., 5 Pet., 233; Worcester *v.* State of Georgia, 6 Pet., 515; City of New Orleans *v.* De Armas et al., 9 Pet., 224; Holden *v.* Joy, 17 Wall., 211; Geofroy *v.* Riggs, 133 U. S., 258; Homer *v.* U. S., 143 U. S., 570; Shoemaker *v.* U. S., 147 U. S., 282.

[3]The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

The United States *v.* Kirkpatrick et al., 9 Wh., 720.

SECTION 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Marbury *v.* Madison, 1 Cr., 137; Kendall, Postmaster-General, *v.* The United States, 12 Pet., 524; Luther *v.* Borden, 7 How., 1; The State of Mississippi *v.* Johnson, President, 4 Wall., 475; Stewart *v.* Kahn, 11 Wall., 493; In re Neagle, 135 U. S., 1.

SECTION 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III.

SECTION 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services a Compensation which shall not be diminished during their Continuance in Office.

Chisholm, ex., *v.* Georgia, 2 Dall., 419; Stuart *v.* Laird, 1 Cr., 299; United States *v.* Peters, 5 Cr., 115; Cohens *v.* Virginia, 6 Cr., 264; Martin *v.* Hunter's Lessee, 1 Wh., 304; Osborn *v.* United States Bank, 9 Wh., 738; Benner et al. *v.* Porter, 9 How., 235; The United States *v.* Ritchie, 17 How., 525; Murray's Lessee et al. *v.* Hoboken Land and Improvement Company, 18 How., 272; Ex

parte Vallandigham, 1 Wall., 243; Ames *v.* Kansas, 111 U. S., 449; In re Ross, 140 U. S., 453; McAllister *v.* U. S., 141 U. S., 174; Pollock *v.* Farmers' Loan & Trust Co., 157 U. S., 429.

SECTION 2. [1]The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases Affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

Hayburn's Case (note), 2 Dall., 410; Chisholm, ex., *v.* Georgia, 2 Dall., 419; Glass et al. *v.* Sloop Betsey, 3 Dall., 6; United States *v.* La Vengeance, 3 Dall., 297; Hollingsworth et al. *v.* Virginia, 3 Dall., 378; Mossman, ex., *v.* Higginson, 4 Dall., 12; Marbury *v.* Madison, 1 Cr., 137; Hepburn et al. *v.* Ellzey, 2 Cr., 444; United States *v.* Moore, 3 Cr., 159; Strawbridge et al. *v.* Curtiss et al., 3 Cr., 267; Ex parte Bollman and Swartwout, 4 Cr., 75; Rose *v.* Himely, 4 Cr., 241; Chappedelaine et al. *v.* Dechenaux, 4 Cr., 305; Hope Insurance Company *v.* Boardman et al., 5 Cr., 57; Bank of United States *v.* Devaux et al., 5 Cr., 61; Hodgson et al. *v.* Bowerbank et als., 5 Cr., 303; Owings *v.* Norwood's Lessee, 5 Cr., 344; Durousseau *v.* The United States, 6 Cr., 307; United States *v.* Hudson and Goodwin, 7 Cr., 32; Martin *v.* Hunter, 1 Wh., 304; Colson et al. *v.* Lewis, 2 Wh., 377; United States *v.* Bevans, 3 Wh., 336; Cohens *v.* Virginia, 6 Wh., 264; Ex parte Kearney, 7 Wh., 38; Matthews *v.* Zane, 7 Wh., 164; Osborn *v.* United States Bank, 9 Wh., 738; United States *v.* Ortega, 11 Wh., 467; American Insurance Company *v.* Canter (356 bales cotton), 1 Pet., 511; Jackson *v.* Twentyman, 2 Pet., 136; Cherokee Nation *v.* State of Georgia, 5 Pet., 1; State of New Jersey *v.* State of New York, 5 Pet., 283; Davis *v.* Packard et al., 6 Pet., 41; United States *v.* Arredondo et al., 6 Pet., 691; Davis *v.* Packard et al., 7 Pet., 276; Breedlove et al. *v.* Nickolet et al., 7 Pet., 413; Brown *v.* Keene, 8 Pet., 112; Davis *v.* Packard et al., 8 Pet., 312; City of New Orleans *v.* De Armas et al., 9 Pet., 224; The State of Rhode Island *v.* The Commonwealth of Massachusetts, 12 Pet., 657; The Bank of Augusta *v.* Earle, 13 Pet., 519; The Commercial and Railroad Bank of Vicksburg *v.* Slocomb et al., 14 Pet., 60;

Suydam et al. *v.* Broadnax, 14 Pet., 67; Prigg *v.* The Commonwealth of Pennsylvania, 16 Pet., 530; Louisville, Cincinnati and Charleston Railway Company *v.* Letson, 2 How., 497; Cary et als. *v.* Curtis, 3 How., 236; Warring *v.* Clark, 5 How., 441; Luther *v.* Borden, 7 How., 1; Sheldon et al. *v.* Sill, 8 How., 441; The Propeller Genesee Chief *v.* Fitzhugh et al., 12 How., 443; Fretz et al. *v.* Ball et al., 12 How., 466; Neves et al. *v.* Scott et al., 13 How., 268; State of Pennsylvania *v.* The Wheeling, etc., Bridge Company et al., 13 How., 518; Marshall *v.* The Baltimore and Ohio R. R. Co., 16 How., 314; The United States *v.* Guthrie, 17 How., 284; Smith *v.* State of Maryland, 18 How., 71; Jones et al. *v* League, 18 How., 76; Murray's Lessee et al. *v.* Hoboken Land and Improvement Company, 18 How,. 272; Hyde et al. *v.* Stone, 20 How., 170; Irvine *v.* Marshall et al., 20 How., 558; Fenn *v.* Holmes, 21 How., 481; Moorewood et al. *v.* Erequist, 23 How., 491; Commonwealth of Kentucky *v.* Dennison, governor, 24 How., 66; Ohio and Mississippi Railroad Company *v.* Wheeler, 1 Black, 286; The Steamer Saint Lawrence, 1 Black, 522; The Propeller Commerce, 1 Black, 574; Ex parte Vallandigham, 1 Wall., 243; Ex parte Milligan, 4 Wall., 1; The Moses Taylor, 4 Wall., 411; State of Mississippi *v.* Johnson, President, 4 Wall., 475; The Hine *v.* Trevor, 4 Wall., 555; City of Philadelphia *v.* The Collector, 5 Wall., 720; State of Georgia *v.* Stanton, 6 Wall., 50; Payne *v.* Hook, 7 Wall., 425; The Alicia, 7 Wall., 571; Ex parte Yerger, 8 Wall., 85; Insurance Company *v.* Dunham, 11 Wall., 1; Virginia *v.* West Virginia, 11 Wall., 39; Coal Company *v.* Blatchford, 11 Wall., 172; Railway Company *v.* Whitton's Adm., 13 Wall., 270; Tarble's Case, 13 Wall., 397; Blyew et al. *v.* The United States, 13 Wall., 581; Davis *v.* Gray, 16 Wall., 203; Case of the Sewing Machine Companies, 18 Wall., 353; Insurance Company *v.* Morse, 20 Wall., 445; Vannevar *v.* Bryant, 21 Wall., 41; The Lottawanna, 21 Wall., 558; Gaines *v.* Fuentes et al., 92 U. S., 10; Miller *v.* Dows, 94 U. S., 444; Doyle *v.* Continental Insurance Company, 94 U. S., 535; Tennessee *v.* Davis, 100 U. S., 257; Baldwin *v.* Franks, 120 U. S., 678; Barron *v.* Burnside, 121 U. S., 186; St. Louis, Iron Mountain and Southern Railway *v.* Vickers, 122 U. S., 360; Chinese Ex. Case, 130 U. S., 581; Brooks *v.* Missouri, 124 U. S., 394; New Orleans Water Works *v.* Louisiana Sugar Refining Co., 125 U. S., 18; Spencer *v.* Merchant, 125 U. S., 345; Dale Tile Mfg. Co. *v.* Hyatt, 125 U. S., 46; Felix *v.* Scharnweber, 125 U. S., 54; Hannibal and St. Joseph R. R. *v.* Missouri River Packet Co., 125 U. S., 260; Kreiger *v.* Shelby R. R. Co., 125 U. S., 39; Craig *v.* Leitensdorfer, 127 U. S. 764; Jones *v.* Craig, 127 U. S., 213; Wisconsin *v.* Pelican Ins. Co., 127 U. S., 265; U. S. *v.* Beebe, 127 U. S., 338; Chinese Ex. Case, 130 U. S., 581; Lincoln County *v.* Luning, 133 U. S., 529; Christian *v.* Atlantic & N. C. R. Rd. Co., 133 U. S., 233; Haus *v.* Louisiana, 134 U. S., 1; Louisiana ex rel. The N. Y. Guaranty & Indemnity Co. *v.* Steele, 134 U. S., 280; Jones *v.* U. S., 137 U. S., 202; Manchester *v.* Mass., 139 U. S., 240; In re Ross, 140 U. S., 453; In re Garnett, 141 U. S., 1; U. S. *v.* Texas, 143 U. S., 621; Cooke *v.* Avery, 147 U. S., 375; S. Pac. Co. *v.* Denton, 146 U. S., 202; Lawton *v.* Steele, 152 U. S., 133; Interstate Com. Comsn. *v.* Brinson, 154 U. S., 447.

[2] In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

Chisholm, ex., *v.* Georgia, 2 Dall., 419; Wiscart et al. *v.* Dauchy, 3 Dall., 321; Marbury *v.* Madison, 1 Cr., 137; Durousseau et al. *v.* United States, 6 Cr., 307; Martin *v.* Hunter's Lessee, 1 Wh., 304; Cohens *v.* Virginia, 6 Wh., 234; Ex parte Kearney, 7 Wh., 38; Wayman *v.* Southard, 10 Wh., 1; Bank of the United States *v.* Halstead, 10 Wh., 51; United States *v.* Ortega, 11 Wh., 467; The Cherokee Nation *v.* the State of Georgia, 5 Pet., 1; Ex parte Crane et als., 5 Pet., 189; The State of New Jersey *v.* The State of New York, 5 Pet., 283; Ex parte Sibbald *v.* United States, 12 Pet., 488; The State of Rhode Island *v.* The State of Massachusetts, 12 Pet., 657; State of Pennsylvania *v.* the Wheeling, &c., Bridge Company, 13 How., 518; In re Kaine, 14 How., 103; Ableman *v.* Booth and United States *v.* Booth, 21 How., 506; Freeborn *v.* Smith, 2 Wall., 160; Ex parte McCardle, 6 Wall., 318; Ex parte McCardle, 7 Wall., 506; Ex parte Yerger, 8 Wall., 85; The Lucy, 8 Wall., 307; The Justices *v.* Murray, 9 Wall,, 274; Pennsylvania *v.* Quicksilver Company, 10 Wall., 553; Murdock *v.* City of Memphis, 20 Wall., 590; Börs *v.* Preston, 111 U. S., 252; Ames *v.* Kansas, 111 U. S. 449; Clough *v.* Curtis, 134 U. S., 361; In re Neagle, 135 U. S., 1; Mobile & Ohio R. Rd. *v.* Tenn., 153 U. S., 486.

[3] The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Ex parte Milligan, 4 Wall., 2; Ellenbecker *v.* Plymouth County, 134 U. S., 31; Cook *v.* U. S., 138 U. S., 157; In re Ross, 140 U. S., 453.

SECTION. 3. [1] Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be

convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

United States *v.* The Insurgents, 2 Dall., 335; United States *v.* Mitchell, 2 Dall., 348; Ex parte Bollman and Swartwout, 4 Cr., 75; United States *v.* Aaron Burr, 4 Cr., 469.

[2] The Congress shall have power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

Bigelow *v.* Forest, 9 Wall., 339; Day *v.* Micou, 18 Wall., 156; Ex parte Lange, 18 Wall., 163; Wallach et al. *v.* Van Riswick, 92 U. S., 202.

ARTICLE. IV.

SECTION. 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Mills *v.* Duryee, 7 Cr., 481; Hampton *v.* McConnel, 3 Wh., 234; Mayhew *v.* Thatcher, 6 Wh., 129; Darby's Lessee *v.* Mayer, 10 Wh., 465; The United States *v.* Amedy, 11 Wh., 392; Caldwell et al *v.* Carrington's Heirs, 9 Pet., 86; M'Elmoyle *v.* Cohen, 13 Pet., 312; The Bank of Augusta *v.* Earle, 13 Pet., 519; Bank of the State of Alabama *v.* Dalton, 9 How., 522; D'Arcy *v.* Ketchum, 11 How., 165; Christmas *v.* Russell, 5 Wall., 290; Green *v.* Van Buskirk, 7 Wall., 139; Paul *v.* Virginia, 8 Wall., 168; Board of Public Works *v.* Columbia College, 17 Wall., 521; Thompson *v.* Whitman, 18 Wall., 457; Bonaparte *v.* Tax Court, 104 U. S., 592; Hanley *v.* Donoghue, 116 U. S., 1; Renaud *v.* Abbott, 116 U. S., 277; Chic. and Alton R. R. *v.* Wiggins Ferry Co., 119 U. S., 615; Cole *v.* Cunningham, 133 U. S., 107; Blount *v.* Walker, 134 U. S., 607; Texas & Pacific Ry. Co. *v.* Southern Pacific Co., 137 U. S., 48; Simmons *v.* Saul, 138 U. S., 439; Reynolds *v.* Stockton, 140 U.S., 254; Carpenter *v.* Strange, 141 U. S., 87; Glenn *v.* Garth, 147 U. S., 360; Huntington *v.* Allrill, 146 U. S., 657.

SECTION 2. [1] The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

Bank of United States *v.* Devereux, 5 Cr., 61; Gassies *v.* Ballou, 6 Pet., 761; The State of Rhode Island *v.* The Commonwealth of

Massachusetts, 12 Pet., 657; The Bank of Augusta *v.* Earle, 13 Pet., 519; Moore *v.* The People of the State of Illinois, 14 How., 13; Conner et al. *v.* Elliot et al., 18 How., 591; Dred Scott *v.* Sanford, 19 How., 393; Crandall *v.* State of Nevada, 6 Wall., 35; Woodruff *v.* Parham, 8 Wall., 123; Paul *v.* Virginia, 8 Wall., 168; Downham *v.* Alexandria Council, 10 Wall., 173; Liverpool Insurance Company *v.* Massachusetts, 10 Wall., 566; Ward *v.* Maryland, 12 Wall., 418; Slaughterhouse Cases, 16 Wall., 36; Bradwell *v.* The State, 16 Wall., 130; Chemung Bank *v.* Lowery, 93 U. S., 72; McCready *v.* Virginia, 94 U. S., 391; Brown *v.* Houston, 114 U. S., 622; Pembina Mining Co. *v.* Penna., 125 U. S., 181; Kimmish *v.* Ball, 129 U. S., 217; Cole *v.* Cunningham, 133 U. S., 107; Leisy *v.* Hardin, 135 U. S., 100; Minnesota *v.* Barber, 136 U. S., 313; McKane *v.* Durston, 153 U. S., 684; Pittsburgh & So. Coal Co. *v.* Bates, 156 U. S., 577.

[2] A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

Holmes *v.* Jennison et al., 14 Pet 540; Commonwealth of Kentucky *v.* Dennison, governor, 24 How., 66; Taylor *v.* Tainter, 16 Wall., 366; Lascelles *v.* Georgia, 148 U. S., 537; Pearce *v.* Texas, 155 U. S., 311.

[3] No Person held to Service or Labor in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labor, but shall be delivered up on Claim of the Party to whom such Service or labor may be due.

Prigg *v.* The Commonwealth of Pennsylvania, 16 Pet., 539; Jones *v.* Van Zandt, 5 How., 215; Strader et al. *v.* Graham, 10 How., 82; Moore *v.* The People of the State of Illinois, 14 How., 13; Dred Scott *v.* Sanford, 19 How., 393; Ableman *v.* Booth and United States *v.* Booth, 21 How., 506; Callan *v.* Wilson, 127 U. S., 540; Nashville, Chattanooga, etc., Rwy. *v.* Alabama, 128 U. S., 96.

SECTION 3. [1] New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or parts of

States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

American Insurance Company et al. *v.* Canter (356 bales cotton), 1 Pet., 511; Pollard's Lessee *v.* Hagan, 3 How., 212; Cross et al. *v.* Harrison, 16 How., 164.

[2] The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

[1] McCulloch *v.* State of Maryland, 4 Wh., 316; American Insurance Company *v.* Canter, 1 Pet., 511; United States *v.* Gratiot et al., 14 Pet., 526; United States *v.* Rogers, 4 How., 567; Cross et al. *v.* Harrison, 16 How., 164; Muckey et al. *v.* Coxe, 18 How., 100; Gibson *v.* Chouteau, 13 Wall., 92; Clinton *v.* Englebert, 13 Wall., 434; Beall *v.* New Mexico, 16 Wall., 535; Davis *v.* Beason, 133 U. S., 333; Wisconsin Central R. Rd. Co. *v.* Price County, 133 U. S., 496; Cope *v.* Cope, 137 U. S., 682; Mormon Church *v.* U. S., 136 U. S., 1.

SECTION 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

Luther *v.* Borden, 7 How., 1; Texas *v.* White, 7 Wall., 700.

ARTICLE V.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-

fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of it's equal Suffrage in the Senate.

Hollingsworth et al. *v.* Virginia, 3 Dallas, 378.

ARTICLE VI.

[1]All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

[2]This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

Hayburn's Case, 2 Dall., 409; Ware *v.* Hylton, 3 Dall., 199; Calder and Wife *v.* Bull and Wife, 3 Dall., 386; Marbury *v.* Madison, 1 Cr., 137; Chirac *v.* Chirac, 2 Wh., 259; McCulloch *v.* The State of Maryland, 4 Wh., 316; Society *v.* New Haven, 8 Wh., 464; Gibbons *v.* Ogden, 9 Wh., 1; Foster and Elam *v.* Neilson, 2 Pet., 253; Buckner *v.* Finley, 2 Pet., 586; Worcester *v.* State of Georgia, 6 Pet., 515; Kennett et al. *v.* Chambers, 14 How., 38; Lodge *v.* Woolsey, 18 How., 331; State of New York *v.* Dibble, 21 How., 366; Ableman *v.* Booth and United States *v.* Booth, 21 How., 506; Sinnot *v.* Davenport, 22 How., 227; Foster *v.* Davenport, 22 How., 244; Haver *v.* Yaker, 9 Wall., 32; Whitney *v.* Robertson, 124 U. S., 190; In re Neagle, 135 U. S., 1; Cherokee Nation *v.* Kansas Ry. Co., 135 U. S., 641; Cook Co. *v.* Calumet & Chicago Canal Co., 138 U. S., 635; Gulf, Colorado & Santa Fe Rwy Co. *v.* Hefley, 158 U. S., 98; In re Quarles *v.* Butler, 158 U. S., 532.

[3]The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all execu-

tive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

Ex parte Garland, 4 Wall., 333; Davis *v.* Beason, 133 U. S., 333.

ARTICLE VII.

The Ratification of the Conventions of nine States shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

DONE in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth **In Witness** whereof We have hereunto subscribed our Names,

GO WASHINGTON—
Presidt and deputy from Virginia

New Hampshire.

JOHN LANGDON NICHOLAS GILMAN

Massachusetts.

NATHANIEL GORHAM RUFUS KING

Connecticut.

WM SAML JOHNSON ROGER SHERMAN

New York.

ALEXANDER HAMILTON

New Jersey.

WIL: LIVINGSTON
DAVID BREARLEY.
WM PATTERSON
JONA: DAYTON

Pennsylvania.

B. FRANKLIN
ROBT. MORRIS
THOS. FITZSIMONS
JAMES WILSON
THOMAS MIFFLIN
GEO. CLYMER
JARED INGERSOLL
GOUV MORRIS

Delaware.

GEO: READ
JOHN DICKINSON
JACO: BROOM
GUNNING BEDFORD jun
RICHARD BASSETT

Maryland.

JAMES MCHENRY
DANL CARROLL
DAN: of ST THOS JENIFER

Virginia.

JOHN BLAIR—
JAMES MADISON Jr.

North Carolina.

WM BLOUNT
HU WILLIAMSON
RICHD DOBBS SPAIGHT,

South Carolina.

J. RUTLEDGE
CHARLES PINCKNEY
CHARLES COTESWORTH PINCKNEY
PIERCE BUTLER.

Georgia.

WILLIAM FEW
ABR BALDWIN

Attest: WILLIAM JACKSON, *Secretary.*

ARTICLES IN ADDITION TO, AND AMENDMENT OF, THE CONSTITUTION OF THE UNITED STATES OF AMERICA, PROPOSED BY CONGRESS, AND RATIFIED BY THE LEGISLATURES OF THE SEVERAL STATES, PURSUANT TO THE FIFTH ARTICLE OF THE ORIGINAL CONSTITUTION.

[Ellenbecker *v.* Plymouth County, 134 U. S., 3.]

[ARTICLE I.]*

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Terret et al. *v.* Taylor et al., 9 Cr., 43; Vidal et al., *v.* Girard et al., 2 How., 127; Ex parte Garland, 4 Wall., 333; United States *v.* Cruikshank et al., 92 U. S., 542; Reynolds *v.* United States, 98 U. S., 145; Davis *v.* Beason, 133 U. S., 333; In re Rapier, 143 U. S., 110; Homer *v.* U. S., 143 U. S., 192.

[ARTICLE II.]

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Presser *v.* Illinois, 116 U. S., 252.

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* The first ten amendments to the Constitution of the United States were proposed to the legislatures of the several States by the First Congress, on the 25th of September, 1789. They were ratified by the following States, and the notifications of ratification by the governors thereof were successively communicated by the President to Congress: New Jersey, November 20, 1789; Maryland, December 19, 1789; North Carolina, December 22, 1789; South Carolina, January 19, 1790; New Hampshire, January 25, 1790; Delaware, January 28, 1790; Pennsylvania, March 10, 1790; New York, March 27, 1790; Rhode Island, June 15, 1790; Vermont, November 3, 1791, and Virginia, December 15, 1791. There is no evidence on the journals of Congress that the legislatures of Connecticut, Georgia, and Massachusetts ratified them.

[ARTICLE III.]

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

[ARTICLE IV.]

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Smith *v.* State of Maryland, 18 How., 71; Murray's Lessee et al. *v.* Hoboken Land and Improvement Company, 18 How., 272; Ex parte Milligan, 4 Wall., 2; Boyd *v.* United States, 116 U. S., 616; Fong Yuen Ting *v.* U. S., 149 U. S., 698.

[ARTICLE V.]

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

United States *v.* Perez, 9 Wh., 579; Barron *v.* The City of Baltimore, 7 Pet., 243; Fox *v.* Ohio, 5 How., 410; West River Bridge Company *v.* Dix et al., 6 How., 507; Mitchell *v.* Harmony, 13 How., 115; Moore, ex., *v.* The People of the State of Illinois, 14

How., 13; Murray's Lessee et al. *v.* Hoboken Land and Improvement Company, 18 How., 272; Dynes *v.* Hoover, 20 How., 65; Withers *v.* Buckley et al., 20 How., 84; Gilman *v.* The City of Sheboygan, 2 Black, 510; Ex parte Milligan, 4 Wall., 2; Twitchell *v.* The Commonwealth, 7 Wall., 321; Hepburn *v.* Griswold, 8 Wall., 603; Miller *v.* United States, 11 Wall., 268; Legal Tender Cases, 12 Wall., 457; Pumpelly *v.* Green Bay Company, 13 Wall., 166; Osborn *v.* Nicholson, 13 Wall., 654; Ex parte Lange, 18 Wall., 163; Kohl et al. *v.* United States, 91 U. S., 367; Cole *v.* La Grange, 113 U. S., 1; Ex parte Wilson, 114 U. S., 417; Brown *v.* Grant, 116 U. S., 207; Boyd *v.* United States, 116 U. S., 616; Makin *v.* United States, 117 U. S., 348; Ex parte Bain, 121 U. S., 1; Parkinson *v.* United States, 121 U. S., 281; Spies *v.* Illinois, 123 U. S., 131; Sands *v.* Manistee River Improvement Company, 123 U. S., 288; Mugler *v.* Kansas, 123 U. S., 623; Great Falls Manufacturing Company *v.* The Attorney-General, 124 U. S., 581; United States *v.* DeWalt, 128 U. S., 393; Huling *v.* Kaw Valley Railway and Improvement Company, 130 U. S., 559; Freeland *v.* Williams, 131 U. S., 405; Cross *v.* North Carolina, 132 U. S., 131; Manning *v.* French, 133 U. S., 186; Searle *v.* School Dist. No. 2, 133 U. S., 553; Palmer *v.* McMahon, 133 U. S., 660; Ellenbecker *v.* Plymouth County, 134 U. S., 31; Chic., Mil. & St. Paul Rwy. Co. *v.* Minnesota, 134 U. S., 418; Wheeler *v.* Jackson, 137 U. S., 245; Holden *v.* Minnesota, 137 U. S., 245; Caldwell *v.* Texas, 137 U. S., 692; Cherokee Nation *v.* Kansas Ry. Co., 135 U. S., 641; Kaukauna Water Power Co. *v.* Miss. Canal Co., 142 U. S., 254; New Orleans *v.* N. O. Water W'ks, 142 U. S., 79; Counselman *v.* Hitchcock, 142 U. S., 547; Simmonds *v.* U. S., 142 U. S., 148; Horn Silver Mining Co. *v.* N. Y., 143 U. S., 305; Hallinger *v.* Davis, 146 U. S., 314; Shoemaker *v.* U. S., 147 U. S., 282; Thorington *v.* Montgomery, 147 U. S., 490; Yesler *v.* Wash'n Harbor Line Coms'rs, 146 U. S., 646; Monongahela Nav. Co. *v.* U. S., 148 U. S., 312; Fong Yuen Ting *v.* U. S., 149 U. S., 698; In re Lennon, 150 U. S., 393; Pitts., C., C. & St. L. *v.* Backus, 154 U. S., 421; Interstate Com. Comsn. *v.* Brimson, 154 U. S., 447; Pearce *v.* Texas, 155 U. S., 311; Linford *v.* Ellison, 155 U. S., 503; Andrews *v.* Swartz, 156 U. S., 272; Pittsburgh & Southern Coal Co. *v.* La., 156 U. S., 590; St. L. & S. F. Rwy. Co. *v.* Gill, 156 U. S. 649; Johnson *v.* Sayre, 158 U. S., 109; Sweet *v.* Rechel, 159 U. S., 380.

[ARTICLE VI.]

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have com-

pulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

United States *v.* Cooledge, 1 Wh., 415; Ex parte Kearney, 7 Wh., 38; United States *v.* Mills, 7 Pet., 142; Barron *v.* City of Baltimore, 7 Pet., 243; Fox *v.* Ohio, 5 How., 410; Withers *v.* Buckley et al., 20 How., 84; Ex parte Milligan, 4 Wall., 2; Twitchell *v.* The Commonwealth, 7 Wall., 321; Miller *v.* The United States, 11 Wall., 268; United States *v.* Cook, 17 Wall., 168; United States *v.* Cruikshank et al., 92 U. S., 542; Spies *v.* Illinois, 123 U. S., 131; Ellenbecker *v.* Plymouth Co., 134 U. S., 31; Jones *v.* U. S., 137 U. S., 202; Cook *v.* U. S., 138 U. S., 157; In re Ross, 140 U. S., 453; Hallinger *v.* Davis, 146 U. S., 314; Mattox *v.* U. S., 156 U. S., 237; Bergemann *v.* Becker, 157 U. S., 655.

[ARTICLE VII.]

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

United States *v.* La Vengeance, 3 Dall., 297; Bank of Columbia *v.* Oakley, 4 Wh., 235; Parsons *v.* Bedford et al., 3 Pet., 433; Lessee of Livingston *v.* Moore et al., 7 Pet., 469; Webster *v.* Reid, 11 How., 437; State of Pennsylvania *v.* The Wheeling, &c., Bridge Company et al., 13 How., 518; The Justices *v.* Murray, 9 Wall, 274; Edwards *v.* Elliott et al., 21 Wall., 532; Pearson *v.* Yewdall, 95 U. S., 294; McElrath *v.* United States, 102 U. S., 426; Callan *v.* Wilson, 127 U. S., 540; Ark. Valley Land and Cattle Co. *v.* Mann, 130 U. S., 69; Whitehead *v.* Shattuck, 138 U. S., 146; Scott *v.* Neely, 140 U. S., 106; Cates *v.* Allen, 149 U. S , 451.

[ARTICLE VIII.]

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Pervear *v.* Commonwealth, 5 Wall., 475; Manning *v.* French, 133 U. S., 186; Ellenbecker *v.* Plymouth County, 134 U. S., 31; In re Kemmler, 136 U. S., 436; McElvaine *v.* Brush, 142 U. S., 155; O'Neill *v.* Vermont, 144 U. S., 323.

[ARTICLE IX.]

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Lessee of Livingston *v.* Moore et al., 7 Pet., 469.

[ARTICLE X.]

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Chisholm, ex., *v.* State of Georgia, 2 Dal[1]., 419; Hollingsworth et al., *v.* The State of Virginia, 3 Dall., 378; Martin *v.* Hunter's Lessee, 1 Wh., 304; McCulloch *v.* State of Maryland, 4 Wh., 316; Anderson *v.* Dunn, 6 Wh., 204; Cohen *v.* Virginia, 6 Wh., 264; Osborn *v.* United States Bank, 9 Wh., 738; Buchler *v.* Finley, 2 Pet., 586; Ableman *v.* Booth, 21 How., 506; The Collector *v.* Day, 11 Wall., 113; Claflin *v.* Houseman, assignee, 93 U. S., 130; Inman Steamship Company *v.* Tinker, 94 U. S., 238; Church *v.* Kelsey, 121 U. S., 282; Ouachita Packet Co. *v.* Aiken, 121 U. S., 444; W. U. Tel. Co. *v.* Pendleton, 122 U. S., 347; Bowman *v.* Chicago and Northwestern Rwy. Co., 125 U. S., 465; Mahon *v.* Justice, 127 U. S., 700; Leisy *v.* Hardin, 135 U. S., 100; Manchester *v.* Mass., 139 U. S., 240; Pollock *v.* Farmers' Loan & Trust Co., 157 U. S., 429.

ARTICLE XI.*

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

State of Georgia *v.* Brailsford et al., 2 Dall., 402; Chisholm, ex., *v.* State of Georgia, 2 Dall., 419; Hollingsworth et al. *v.* Virginia, 3 Dall., 378; Cohen *v.* Virginia, 6 Wh., 264; Osborn *v.* United States Bank, 9 Wh., 738; United States *v.* The Planters' Bank, 9 Wh., 904; The Governor of Georgia *v.* Juan Madrazo, 1 Pet., 110; Cherokee Nation *v.* State of Georgia, 5 Pet., 1; Briscoe *v.* The Bank of the Commonwealth of Kentucky, 11 Pet., 257; Curran *v.* State of Arkansas et al., 15 How., 304; New Hampshire *v.* Louisiana, 108 U. S., 76; Virginia Coupon Cases, 114 U. S., 270; Hagood *v.* Southern, 117 U. S., 52; In re Ayres, 123 U. S., 443; Lincoln County *v.* Luning, 133 U. S., 529; Coupon Cases, 135 U. S.,

*The eleventh amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Third Congress, on the 5th of March, 1794; and was declared in a message from the President to Congress, dated the 8th of January, 1798, to have been ratified by the legislatures of three-fourths of the States.

662; Pennoyer *v.* McConnaughy, 140 U. S., 1; In re Taylor, 149 U. S., 164; Reagan *v.* Farmers' Loan and Trust Co., 154 U. S., 362; Reagan *v.* Mercantile Trust Co., 154 U. S., 413.

ARTICLE XII. *

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the person having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum

* The twelfth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Eighth Congress, on the 12th of December, 1803, in lieu of the original third paragraph of the first section of the secondarticle; and was declared in a proclamation of the Secretary of State, dated the 25th of September, 1804, to have been ratified by the legislatures of three-fourths of the States.

for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.—The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII.*

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

* The thirteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Thirty-eighth Congress, on the 1st of February, 1865, and was declared, in a proclamation of the Secretary of State, dated the 18th of December, 1865, to have been ratified by the legislatures of twenty-seven of the thirty-six States, viz: Illinois, Rhode Island, Michigan, Maryland, New York, West Virginia, Maine, Kansas, Massachusetts, Pennsylvania, Virginia, Ohio, Missouri, Nevada, Indiana, Louisiana, Minnesota, Wisconsin, Vermont, Tennessee, Arkansas, Connecticut, New Hampshire, South Carolina, Alabama, North Carolina, and Georgia.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

Dred Scott *v.* Sanford, 19 How., 393; White *v.* Hart, 13 Wall., 646; Osborn *v.* Nicholson, 13 Wall., 654; Slaughterhouse Cases, 16 Wall., 36; Ex parte Virginia, 100 U. S., 339; Civil Rights Case, 109 U. S., 3.

ARTICLE XIV.*

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property,

*The fourteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Thirty-ninth Congress, on the 16th of June, 1866. On the 21st of July, 1868, Congress adopted and transmitted to the Department of State a concurrent resolution declaring that "the legislatures of the States of Connecticut, Tennessee, New Jersey, Oregon, Vermont, New York, Ohio, Illinois, West Virginia, Kansas, Maine, Nevada, Missouri, Indiana, Minnesota, New Hampshire, Massachusetts, Nebraska, Iowa, Arkansas, Florida, North Carolina, Alabama, South Carolina, and Louisiana, being three-fourths and more of the several States of the Union, have ratified the fourteenth article of amendment to the Constitution of the United States, duly proposed by two-thirds of each House of the Thirty-ninth Congress: Therefore *Resolved*, That said fourteenth article is hereby declared to be a part of the Constitution of the United States, and it shall be duly promulgated as such by the Secretary of State." The Secretary of State accordingly issued a proclamation, dated the 28th of July, 1868, declaring that the proposed fourteenth amendment had been ratified, in the manner hereafter mentioned, by the legislatures of thirty of the thirty-six States, viz: Connecticut, June 30, 1866; New Hampshire, July 7, 1866; Tennessee, July 19, 1866; New Jersey, September 11, 1866 (and the legislature of the same State passed a resolution in April, 1868, to withdraw its consent to it); Oregon, September 19, 1866; Vermont, November 9, 1866; Georgia rejected it November 13, 1866, and ratified it July 21, 1868; North Carolina rejected

without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Strauder *v.* West Virginia, 100 U. S., 303; Virginia *v.* Rivers, 100 U. S., 313; Ex parte Virginia, 100 U. S., 339; Missouri *v.* Lewis, 101 U. S., 22; Civil Rights Cases, 109 U. S., 3; Louisiana *v.* New Orleans, 109 U. S., 285; Hurtado *v.* California, 110 U. S., 516; Hagar *v.* Reclamation Dist., 111 U. S., 701; Elk *v.* Wilkins, 112 U. S., 94; Head *v.* Amoskeag Mfg. Co., 113 U. S., 9; Barbier *v.* Connolly, 113 U. S., 27; Provident Institution *v.* Jersey City, 113 U. S., 506; Soon Hing *v.* Crowley, 113 U. S., 703; Wurts *v.* Hoagland 114 U. S., 606; Ky. R. Rd. Tax Cases, 115 U. S., 321; Campbell *v.* Holt, 115 U. S., 620; Presser *v.* Illinois, 116 U. S., 252; Stone *v.* Farmers' Loan and Trust Co., 116 U. S., 307; Arrowsmith *v.* Harmoning, 118 U. S., 194; Yick Wo *v.* Hopkins, 118 U. S., 356; Santa Clara Co. *v.* S. Pacific R. Rd., 118 U. S., 394; Phila. Fire Assn. *v.* N. Y., 119 U. S., 110; Schmidt *v.* Cobb, 119 U. S., 286; Baldwin *v.* Frank, 119 U. S., 678; Hayes *v.* Missouri, 120 U. S., 68; Church *v.* Kelsey, 121 U. S., 282; Pembina Mining Co. *v.* Penna., 125 U. S., 181; Spencer *v.* Merchant, 125 U. S. 345; Dow *v.* Beidelman, 125 U. S., 680; Bank of Redemption *v.* Boston, 125 U. S., 60; Ro Bards *v.* Lamb, 127 U. S., 58; Mo. Pac. Rwy Co. *v.* Mackey, 127 U. S., 205; Minneapolis and St. Louis Rwy. *v.* Herrick, 127 U. S., 210; Powell *v.* Penna., 127 U. S., 678; Kidd *v.* Pearson, 128 U. S., 1; Nashville, Chattanooga, &c., Rwy. *v* Alabama, 128 U. S., 96; Walston *v.* Navin, 128 U. S., 578; Minneapolis and St. Louis Rwy. *v.* Beckwith, 129 U. S., 26; Dent *v.* West Va., 129 U. S., 114; Huling *v.* Kaw Valley Rwy. and Improvement Co., 130. U. S., 559; Freeland *v.* Williams, 131 U. S., 405; Cross *v.* North Carolina, 132 U. S., 131; Pennie *v.* Reis, 132 U. S. 464; Sugg

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it December 4, 1866, and ratified it July 4, 1868; South Carolina rejected it December 20, 1866, and ratified it July 9, 1868; New York ratified it January 10, 1867; Ohio ratified it January 11, 1867 (and the legislature of the same State passed a resolution in January, 1868, to withdraw its consent to it); Illinois ratified it January 15, 1867; West Virginia, January 16, 1867; Kansas, January 18, 1867; Maine, January 19, 1867; Nevada, January 22, 1867; Missouri, January 26, 1867; Indiana, January 20, 1867; Minnesota, February 1, 1867; Rhode Island, February 7, 1867; Wisconsin, February 13, 1867; Pennsylvania, February 13, 1867; Michigan, February 15, 1867; Massachusetts, March 20, 1867; Nebraska, June 15, 1867; Iowa, April 3, 1868; Arkansas, April 6, 1868; Florida, June 9, 1868; Louisiana, July 9, 1868, and Alabama, July 13, 1868. Georgia again ratified the amendment February 2, 1870. Texas rejected it November 1, 1866, and ratified it February 18, 1870. Virginia rejected it January 19, 1867, and ratified it October 8, 1869. The amendment was rejected by Kentucky January 10, 1867; by Delaware February 8, 1867; by Maryland March 23, 1867, and was not afterwards ratified by either State.

v. Thornton, 132 U. S., 524; Davis *v.* Beason, 133 U. S., 333; Ellenbecker *v.* Plymouth Co., 134 U. S., 31; Bell Gap R. Rd. Co. *v.* Penna., 134 U. S., 232; Chicago, Milwaukee & St. Paul Rwy. *v.* Minnesota, 134 U. S., 418; Home Ins. Co. *v.* N. Y., 134 U. S., 594; Louisville & Nashville R. Rd. Co. *v.* Woodson, 134 U. S., 614; Home Ins. Co. *v.* N. Y., 134 U. S., 594; Leisy *v.* Hardin, 135 U. S., 100; In re Kemmler, 136 U. S., 436; York *v.* Texas, 137 U. S., 15; Crowley *v.* Christensen, 137 U. S., 89; Wheeler *v.* Jackson, 137 U. S., 245; Holden *v.* Minnesota, 137 U. S., 483; In re Converse, 137 U. S., 624; Caldwell *v.* Texas, 137 U. S. 692; Kauffman *v.* Wootters, 138 U. S., 285; Lesper *v.* Texas, 139 U. S., 462; In re Manning, 139 U. S., 504; Mabal *v.* Louisiana, 139 U. S., 621; In re Duncan, 139 U. S., 449; In re Shibuya Jugiro, 139 U. S., 291; Lent *v.* Tillson, 140 U. S., 316; New Orleans *v.* N. O. Water W'ks., 142 U. S., 79; McElvaine *v.* Brush, 142 U. S., 155; Kaukauna Water Power Co. *v.* Miss. Canal Co., 142 U. S., 254; Charlotte, Augusta & Col. R. Rd. Co. *v.* Gibbes, 142 U. S., 386; Pacific Ex. Co. *v.* Siebert, 142 U. S., 339; Horn Silver Mining Co. *v.* N.Y., 143 U.S.,305; Budd *v.* N.Y.,143 U.S., 517; Schwab *v.* Berggren, 143 U. S., 442; Fielden *v.* Illinois, 143 U. S., 452; N. Y. *v.* Squire, 144 U. S., 175; Brown *v.* Smart, 144 U. S., 454; McPherson *v.* Blacker, 146 U. S., 1; Morley *v.* Lake Shore & Mich. Southern Ry. Co., 146 U. S., 162; Hallinger *v.* Davis, 146 U. S., 314; Yesler *v.* Washington Harbor Line Comsrs., 146 U. S., 646; Butler *v.* Goreley, 146 U. S., 303; Southern Pacific Co. *v.* Denton, 146 U. S., 202; Thorington *v.* Montgomery, 147 U. S., 490; Giozza *v.* Tiernan, 148 U. S., 657; Paulsen *v.* Portland, 149 U. S., 30; Minn. & St. L. Rwy. Co. *v.* Emmons, 149 U. S., 364; Columbus So. Rwy. Co. *v.* Wright, 151 U. S., 470; In re Frederick, 149 U. S., 70; McNulty *v.* Calif., 149 U. S., 645; Lees *v.* U. S., 150 U. S., 476; Lawton *v.* Steele, 152 U. S., 133; Montana Co. *v.* St. Louis Mining Co., 152 U. S., 160; Duncan *v.* Missouri, 152 U. S., 377; McKane *v.* Durston, 153 U. S., 684; Marchant *v.* Penna. R. R. Co., 153 U. S., 380; Brass *v.* Stoeser, 153 U. S., 391; Scott *v.* McNeal, 154 U. S., 34; Reagan *v.* Far. Loan & Trust Co., 154 U. S., 362; P., C., C. & St. L. R. R. Co., *v.* Backus, 154 U. S., 421; Interstate Com. Comsn. *v.* Brimson, 154 U. S., 447; Reagan *v.* Mercantile Trust Co., 154 U. S., 447; Pearce *v.* Texas, 155 U. S., 311; Pittsburgh & So. Coal. Co. *v.* La., 156 U. S., 590; Andrews *v.* Swartz, 156 U. S., 272; St. L. & S. F. Rwy. Co. *v.* Gill, 156 U. S., 649; Stevens admr. *v.* Nichols, 157 U. S., 370; Bergemann *v.* Becker, 157 U. S., 655; Quarles *v.* Butler, 158 U. S., 532; Gray *v.* Connecticut, 159 U. S., 74; Central Land Co. *v.* Laidley, 159 U. S., 103; Moore *v.* Missouri, 159 U. S., 673; Winona & St. Peter Land Co. *v.* Minn., 159 U. S., 528.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial

officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Crandall *v.* The State of Nevada, 6 Wall., 35; Paul *v.* Virginia, 8 Wall., 168; Ward *v.* Maryland, 12 Wall., 418; Slaughterhouse

Cases, 16 Wall., 36; Bradwell *v.* The State, 16 Wall., 130; Bartemeyer *v.* Iowa, 18 Wall., 129; Minor *v.* Happersett, 21 Wall., 162; Walker *v.* Sauvinet, 92 U. S., 90; Kennard *v.* Louisiana, ex rel. Morgan, 92 U. S., 480; United States *v.* Cruikshank, 92 U. S., 542; Munn *v.* Illinois, 94 U. S., 113.

ARTICLE XV.*

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude—

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

United States *v.* Reese et al., 92 U. S., 214; United States *v.* Cruikshank et al., 92 U. S., 542; Ex parte Yarborough, 110 U. S., 651; McPherson *v.* Blacker, 146 U. S., 1.

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* The fifteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Fortieth Congress on the 27th of February, 1869, and was declared, in a proclamation of the Secretary of State, dated March 30, 1870, to have been ratified by the legislatures of twenty-nine of the thirty-seven States. The dates of these ratifications (arranged in the order of their reception at the Department of State) were: From North Carolina, March 5, 1869; West Virginia, March 3, 1869; Massachusetts, March 9–12, 1869; Wisconsin, March 9, 1869; Maine, March 12, 1869; Louisiana, March 5, 1869; Michigan, March 8, 1869; South Carolina, March 16, 1869; Pennsylvania, March 26, 1869; Arkansas, March 30, 1869; Connecticut, May 19, 1869; Florida, June 15, 1869; Illinois, March 5, 1869; Indiana, May 13–14, 1869; New York, March 17–April 14, 1869 (and the legislature of the same State passed a resolution January 5, 1870, to withdraw its consent to it); New Hampshire, July 7, 1869; Nevada, March 1, 1869; Vermont, October 21, 1869; Virginia, October 8, 1869; Missouri, January 10, 1870; Mississippi, January 15–17, 1870; Ohio, January 27, 1870; Iowa, February 3, 1870; Kansas, January 18–19, 1870; Minnesota, February 19, 1870; Rhode Island, January 18, 1870; Nebraska, February 17, 1870; Texas, February 18, 1870. The State of Georgia also ratified the amendment February 2, 1870.

RATIFICATIONS OF THE CONSTITUTION.

The Constitution was adopted by a convention of the States September 17, 1787, and was subsequently ratified by the several States, in the following order, viz:

Delaware, December 7, 1787.
Pennsylvania, December 12, 1787.
New Jersey, December 18, 1787.
Georgia, January 2, 1788.
Connecticut, January 9, 1788.
Massachusetts, February 6, 1788.
Maryland, April 28, 1788.
South Carolina, May 23, 1788.
New Hampshire, June 21, 1788.
Virginia, June 26, 1788.
New York, July 26, 1788.
North Carolina, November 21, 1789.
Rhode Island, May 29, 1790.

The State of Vermont, by convention, ratified the Constitution on the 10th of January, 1791, and was, by an act of Congress of the 18th of February, 1791, "received and admitted into this Union as a new and entire member of the United States of America."

RATIFICATIONS OF THE AMENDMENTS TO THE CONSTITUTION.

The first ten of the preceding articles of amendment (with two others which were not ratified by the requisite number of States) were submitted to the several State legislatures by a resolution of Congress which passed on the 25th of September,

1789, at the first session of the First Congress, and were ratified by the legislatures of the following States:

New Jersey, November 20, 1789.
Maryland, December 19, 1789.
North Carolina, December 22, 1789.
South Carolina, January 19, 1790.
New Hampshire, January 25, 1790.
Delaware, January 28, 1790.
Pennsylvania, March 10, 1790.
New York, March 27, 1790.
Rhode Island, June 15, 1790.
Vermont, November 3, 1791.
Virginia, December 15, 1791.

The acts of the legislatures of the States ratifying these amendments were transmitted by the governors to the President, and by him communicated to Congress. The legislatures of Massachusetts, Connecticut, and Georgia do not appear by the record to have ratified them.

The eleventh article was submitted to the legislatures of the several States by a resolution of Congress passed on the 5th of March, 1794, at the first session of the Third Congress; and on the 8th of January, 1798, at the second session of the Fifth Congress, it was declared by the President, in a message to the two Houses of Congress, to have been adopted by the legislatures of three-fourths of the States, there being at that time sixteen States in the Union.

The twelfth article was submitted to the legislatures of the several States, there being then seventeen States, by a resolution of Congress passed on the 12th of December, 1803, at the first session of the Eighth Congress, and was ratified by the

legislatures of three-fourths of the States in 1804, according to a proclamation of the Secretary of State dated the 25th of September, 1804.

The thirteenth article was submitted to the legislatures of the several States, there being then thirty-six States, by a resolution of Congress passed on the 1st of February, 1865, at the second session of the Thirty-eighth Congress, and was ratified, according to a proclamation of the Secretary of State dated December 18, 1865, by the legislatures of the following States:

Illinois, February 1, 1865.
Rhode Island, February 2, 1865.
Michigan, February 2, 1865.
Maryland, February 3, 1865.
New York, February 3, 1865.
West Virginia, February 3, 1865.
Maine, February 7, 1865.
Kansas, February 7, 1865.
Massachusetts, February 8, 1865.
Pennsylvania, February 8, 1865.
Virginia, February 9, 1865.
Ohio, February 10, 1865.
Missouri, February 10, 1865.
Indiana, February 16, 1865.
Nevada, February 16, 1865.
Louisiana, February 17, 1865.
Minnesota, February 23, 1865.
Wisconsin, March 1, 1865.
Vermont, March 9, 1865.
Tennessee, April 7, 1865.
Arkansas, April 20, 1865.
Connecticut, May 5, 1865.
New Hampshire, July 1, 1865.
South Carolina, November 13, 1865.
Alabama, December 2, 1865.

North Carolina, December 4, 1865.
Georgia, December 9, 1865.

The following States not enumerated in the proclamation of the Secretary of State also ratified this amendment:

Oregon, December 11, 1865.
California, December 20, 1865.
Florida, December 28, 1865.
New Jersey, January 23, 1866.
Iowa, January 24, 1866.
Texas, February 18, 1870.

The fourteenth article was submitted to the legislatures of the several States, there being then thirty-seven States, by a resolution of Congress passed on the 16th of June, 1866, at the first session of the Thirty-ninth Congress, and was ratified, according to a proclamation of the Secretary of State dated July 28, 1868, by the legislatures of the following States:

Connecticut, June 30, 1866.
New Hampshire, July 7, 1866.
Tennessee, July 19, 1866.
*New Jersey, September 11, 1866.
†Oregon, September 19, 1866.
Vermont, November 9, 1866.
New York, January 10, 1867.
‡Ohio, January 11, 1867.
Illinois, January 15, 1867.
West Virginia, January 16, 1867.
Kansas, January 18, 1867.
Maine, January 19, 1867.
Nevada, January 22, 1867.
Missouri, January 26, 1867.

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* New Jersey withdrew her consent to the ratification in April, 1868.
† Oregon withdrew her consent to the ratification October 15, 1868.
‡ Ohio withdrew her consent to the ratification in January, 1868.

Indiana, January 29, 1867.
Minnesota, February 1, 1867.
Rhode Island, February 7, 1867.
Wisconsin, February 13, 1867.
Pennsylvania, February 13, 1867.
Michigan, February 15, 1867.
Massachusetts, March 20, 1867.
Nebraska, June 15, 1867.
Iowa, April 3, 1868.
Arkansas, April 6, 1868.
Florida, June 9, 1868.
*North Carolina, July 4, 1868.
Louisiana, July 9, 1868.
*South Carolina, July 9, 1868.
Alabama, July 13, 1868.
*Georgia, July 21, 1868.

*The State of Virginia ratified this amendment on the 8th of October, 1869, subsequent to the date of the proclamation of the Secretary of State.

The States of Delaware, Maryland, Kentucky, and Texas rejected the amendment.

The fifteenth article was submitted to the legislatures of the several States, there being then thirty-seven States, by a resolution of Congress passed on the 27th of February, 1869, at the first session of the Forty-first Congress; and was ratified, according to a proclamation of the Secretary of State dated March 30, 1870, by the legislatures of the following States:

Nevada, March 1, 1869.
West Virginia, March 3, 1869.
North Carolina, March 5, 1869.
Louisiana, March 5, 1869.

*North Carolina, South Carolina, Georgia, and Virginia had previously rejected the amendment.

Illinois, March 5, 1869.
Michigan, March 8, 1869.
Wisconsin, March 9, 1869.
Massachusetts, March 12, 1869.
Maine, March 12, 1869.
South Carolina, March 16, 1869.
Pennsylvania, March 26, 1869.
Arkansas, March 30, 1869.
*New York, April 14, 1869.
Indiana, May 14, 1869.
Connecticut, May 19, 1869.
Florida, June 15, 1869.
New Hampshire, July 7, 1869.
Virginia, October 8, 1869.
Vermont, October 21, 1869.
Alabama, November 24, 1869.
Missouri, January 10, 1870.
Mississippi, January 17, 1870.
Rhode Island, January 18, 1870.
Kansas, January 19, 1870.
†Ohio, January 27, 1870.
Georgia, February 2, 1870.
Iowa, February 3, 1870.
Nebraska, February 17, 1870.
Texas, February 18, 1870.
Minnesota, February 19, 1870.

‡The State of New Jersey ratified this amendment on the 21st of February, 1871, subsequent to the date of the proclamation of the Secretary of State.

The States of California, Delaware, Kentucky, Maryland, Oregon, and Tennessee rejected this amendment.

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*New York withdrew her consent to the ratification January 5, 1870.
†Ohio had previously rejected the amendment May 4, 1869.
‡New Jersey had previously rejected the amendment.

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The enumeration of certain rights in this Constitution shall not be held to deny or disparage others retained by the people. [Amendments]	9	–	–	215
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No person except a natural-born citizen or a citizen of the United States at the adoption of the Constitution shall be eligible to the office of	2	1	4	200
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President and Vice-President. Manner of choosing. No Senator or Representative or person holding an office of trust or profit under the United States shall be an elector	2	1	2	198
Congress may determine the time of choosing the electors and the day on which they shall give their votes, which day shall be the same throughout the United States	2	1	3	199
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They shall name in distinct ballots the person voted for as President and the person voted for as Vice-President. [Amendments]	12	–	–	217
They shall make distinct lists of the persons voted for as President and as Vice-President, which they shall sign and certify and transmit sealed to the President of the Senate at the seat of government. [Amendments]	12	–	–	217
The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. [Amendments]	12	–	–	217
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If no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. [Amendments]	12	–	–	217
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President and Vice-President. Manner of choosing. But if no choice shall be made before the 4th of March next following, then the Vice-President shall act as President, as in the case of the death or disability of the President. [Amendments]	12	–	–	217
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No person shall be twice put in jeopardy of life or limb for the same offense. [Amendments]	5	–	–	213
All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State in which they reside. [Amendments]	14	1	–	219

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Privileges and immunities of citizens of the United States.				
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No State shall deprive any person of life, liberty, or property without due process of law. [Amendments]	14	1	–	219
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Prizes captured on land or water. Congress shall make rules concerning	1	8	11	191
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No State shall deprive any person of life, liberty, or property without due. [Amendments]	14	1	–	219
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Property of the United States. Congress may dispose of and make all needful rules and regulations respecting the territory or	4	3	2	208
Property without due process of law. No person shall be compelled in any criminal case to be a witness against himself; nor shall he be deprived of his life, liberty, or. [Amendments]	5	–	–	213
No State shall abridge the privileges or immunities of citizens of the United States, nor deprive any person of his life, liberty, or. [Amendments]	14	1	–	219
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He shall have compulsory process for obtaining witnesses. [Amendments]	6	–	–	214
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But Congress may at any time by law make or alter such regulations except as to the places of choosing Senators	1	4	1	185
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Rights in the Constitution shall not be construed to deny or disparage others retained by the people. The enumeration of certain. [Amendments]	9	–	–	215
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A majority shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members	1	5	1	185

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No person shall be a Senator who shall not be thirty years of age, nine years a citizen of the United States, and an inhabitant when elected of the State for which he shall be chosen	1	3	3	184
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They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of the Senate and in going to and returning from the same	1	6	1	186

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Senators and Representatives shall be bound by an oath or affirmation to support the Constitution	6	–	3	209
No person shall be a Senator or Representative who having, as a Federal or State officer, taken an oath to support the Constitution, afterwards engaged in rebellion against the United States. [Amendments]	14	3	–	222
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Servitude. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of. [Amendments]	15	1	–	223
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Three-fourths of the legislatures of the States or conventions of three-fourths of the States, as Congress shall prescribe, may ratify amendments to the Constitution	5	–	–	208
The United States shall guarantee a republican form of government to every State in the Union	4	4	–	208
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States or to the people. Powers not delegated to the United States, nor prohibited to the States, are reserved to the. [Amendments]	10	–	–	216
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Supreme Court, and such inferior courts as Congress may establish. The judicial power of the United States shall be vested in one	3	1	–	202
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Supreme Court shall have original jurisdiction in all cases affecting ambassadors, other public ministers and consuls, and in which a State may be a party. The	3	2	2	205
Shall have appellate jurisdiction, both as to law and fact, with such exceptions and regulations as Congress may make. The	3	2	2	205
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The judges in every State shall be bound thereby	6	–	2	209
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Tax or duty shall be laid on articles exported from any State. No	1	9	5	194
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Term of four years. The President and Vice-President shall hold their offices for the	2	1	1	198
Term for which he is elected. No Senator or Representative shall be appointed to any office under the United States which shall have been created or its emoluments increased during the	1	6	2	186
Territory or other property of the United States. Congress shall dispose of and make all needful rules and regulations respecting the	4	3	2	208
Test as a qualification for any office or public trust shall ever be required. No religious	6	–	3	209
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Three-fourths of the legislatures of the States, or conventions in three-fourths of the States, as Congress shall prescribe, may ratify amendments to the Constitution	5	–	–	208
Tie. The Vice-President shall have no vote unless the Senate be equally divided	1	3	4	185

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Times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof	1	4	1	185
But Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators	1	4	1	185
Title of nobility. The United States shall not grant any	1	9	8	194
No State shall grant any	1	10	1	195
Title of any kind, from any king, prince, or foreign State, without the consent of Congress. No person holding any office under the United States shall accept of any	1	9	8	194
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Treason. No person shall, unless on the testimony of two witnesses to the same overt act, or on confession in open court, be convicted of	3	3	1	205
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Shall not work corruption of blood. Attainder of	3	3	2	206
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Treason, bribery, or other high crimes and misdemeanors. The President, Vice-President, and all civil officers shall be removed from office on impeachment for and conviction of	2	4	–	202
Treason, felony, and breach of the peace. Senators and Representatives shall be privileged from arrest while attending or while going to or returning from the sessions of Congress, except in cases of	1	6	1	186
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Treaties. They shall be the supreme law of the land, and the judges in every State shall be bound thereby ..	6	–	2	209
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Trial, judgment, and punishment according to law. Judgment in cases of impeachment shall not extend further than to removal from and disqualification for office; but the party convicted shall nevertheless be liable and subject to indictment	1	3	7	185
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Suits at common law, when the amount exceeds twenty dollars, shall be by. [Amendments]	7	–	–	215
Tribunals inferior to the Supreme Court. Congress shall have power to constitute	1	8	9	191
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Two-thirds, may expel a member. Each House, with the concurrence of	1	5	2	186
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Two-thirds of the Senators present concur. The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided ..	2	2	2	201
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Two-thirds of the whole number of Senators. A quorum of the Senate, when choosing a Vice-President, shall consist of. [Amendments]	12	–	–	217
Two-thirds, may remove the disabilities imposed by the third section of the fourteenth amendment. Congress, by a vote of. [Amendments]	14	3	–	222
Two years. Appropriations for raising and supporting armies shall not be for a longer term than	1	8	12	191

U.

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The President shall, from time to time, give to Congress information of the state of the	2	3	–	202
New States may be admitted by Congress into this	4	3	1	207
But no new State shall be formed or erected within the jurisdiction of another State	4	3	1	207
Unreasonable searches and seizures. The people shall be secured in their persons, houses, papers, and effects against. [Amendments]	4	–	–	213
And no warrants shall be issued but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized. [Amendments]	4	–	–	213
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Veto of a bill by the President. Proceedings of the two Houses upon the	1	7	2	187
Vice-President of the United States shall be President of the Senate	1	3	4	185
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The Senate shall elect a President pro tempore in the absence of the	1	3	5	185
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In case of the removal, death, resignation, or inability of the President, the powers and duties of his office shall devolve on the	2	1	5	200
Congress may provide by law for the case of the removal, death, resignation, or inability both of the President and	2	1	5	200
On impeachment for and conviction of treason, bribery, and other high crimes and misdemeanors shall be removed from office. The	2	4	–	202
Vice-President. The manner of choosing the. The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves. [Amendments]	12	–	–	217

	Art.	Sec.	Cl.	Page.
Vice-President. The manner of choosing the. The electors shall name, in distinct ballots, the person voted for as Vice-President. [Amendments]	12	–	–	217
They shall make distinct lists of the persons voted for as Vice-President, which lists they shall sign and certify, and send sealed to the seat of government, directed to the President of the Senate. [Amendments]	12	–	–	217
The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. [Amendments]	12	–	–	217
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If no person have a majority, then from the two highest numbers on the list the Senate shall choose the Vice-President. [Amendments]	12	–	–	217
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Weights and measures. Congress shall fix the standard of	1	8	5	190
Welfare, and to secure the blessings of liberty, etc. To promote the general. [Preamble]	–	–	–	181
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	Art.	Sec.	Cl.	Page.
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Witnesses to the same overt act, or on confession in open court. No person shall be convicted of treason unless on the testimony of two	3	3	1	205
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Y.

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RULES FOR THE REGULATION OF THE SENATE WING OF THE UNITED STATES CAPITOL.

ADOPTED BY THE COMMITTEE ON RULES.

RULE I.

SERGEANT-AT-ARMS.

The Sergeant-at-Arms of the Senate, under the direction of the Presiding Officer, shall be the Executive Officer of the body for the enforcement of all rules made by the Committee on Rules for the regulation of the Senate Wing of the Capitol and Senate Annex. The Senate floor shall be at all times under his immediate supervision, and he shall see that the various subordinate officers of his department perform the duties to which they are especially assigned.

RULE II.

ASSISTANT DOORKEEPER AND ACTING ASSISTANT DOORKEEPER.

The Assistant Doorkeeper and Acting Assistant Doorkeeper shall be assigned, during the daily sessions of the Senate, to duty upon the Senate floor. They shall see that the messengers

assigned to the doors upon the Senate floor are at their posts, and that the floor and cloakrooms are cleared at least five minutes before the opening of daily sessions of all persons not entitled to remain there. In the absence of the Sergeant-at-Arms the duties of his office, so far as they pertain to the enforcement of rules, shall devolve upon the Acting Assistant Doorkeeper.

RULE III.

MESSENGERS ACTING AS ASSISTANT DOORKEEPERS.

The messengers acting as Assistant Doorkeepers shall be assigned to their duties by the Sergeant-at-Arms.

RULE IV.

GALLERIES.

The Sergeant-at-Arms shall keep the aisles of the galleries clear, and shall not allow admittance into the galleries of more than their seating capacity.

The galleries of the Senate shall be set apart and occupied as follows:

PRESS GALLERY.

The gallery in the rear of the Vice-President's chair shall be set apart for reporters of daily newspapers.

Persons desiring admission to the Press Gallery shall make application to the Committee on Rules [as required by Rule IV for the regulation of the Senate Wing of the United States Capitol]; and shall also state, in writing, for what paper or papers they are employed; and shall further state that they are not engaged in the prosecution of claims pending before Congress or the Departments, and will not become so engaged while

allowed admission to the gallery; and that they are not in any sense the agents or representatives of persons or corporations having legislation before Congress, and will not become such agents or representatives while retaining their right to places in the gallery. Visiting journalists who may be allowed temporary admission to the gallery must conform to the restrictions of this rule.

The applications required by above rule (blank forms for which can be obtained from the Doorkeeper of the Press Gallery) shall be authenticated in a manner that shall be satisfactory to the Standing Committee of Correspondents, who shall see that the occupation of the gallery is confined to bona fide telegraphic correspondents of reputable standing in their business, who represent daily newspapers; but not exceeding one seat shall be assigned to each paper; and it shall be the duty of the said Standing Committee, at their discretion, to report violations of the privileges of the gallery to the Senate Committee on Rules, and pending action thereon the offending correspondent shall be suspended.

Persons employed in the Executive or Legislative Departments of the Government, and persons engaged in other occupations whose chief attention is not given to newspaper correspondence, shall not be entitled to admission to the Press Gallery; and the press list in the Congressional Directory shall be a list only of telegraphic correspondents. Correspondents entitled to the privileges of the Press Gallery may be admitted to the Marble Room under such regulations as may be prescribed by the Committee on Rules.

Members of the families of correspondents are not entitled to admission to the Press Gallery.

The Press Gallery, subject to the supervision and control of the Committee on Rules, shall be under the direction of the Standing Committee of Correspondents.

DIPLOMATIC GALLERY.

The southern gallery over the main entrance to the Senate Chamber shall be set apart for the use of the Diplomatic Corps, and no person shall be admitted to it excepting the Secretary of State, foreign ministers, their families and suites, and Senators.

The cards of admission to said gallery shall be issued by the Secretary of State, or the Chairman of the Committee on Rules, to such persons as are entitled to its privileges.

SENATE GALLERY.

The gallery over the east entrance to the Senate Chamber, formerly part of the ladies' gallery, shall be set apart for the exclusive use of the families of Senators, and guests visiting their families who shall be designated by some member of the Senator's family.

No others shall be admitted, either by card or personal direction, except by the President and Vice-President to their respective reserved seats.

Employees of the Senate, except those on duty at the gallery door, shall be excluded.

The front seat in the Senate Gallery, next adjoining the ladies' gallery, shall be set apart for the use of the President, and no person shall be admitted to said seat except upon his order.

The seat immediately in the rear of the President's seat shall be set apart for the use of the Vice-President, and no person shall be admitted thereto except upon his order.

RESERVED GALLERIES.

The reserved galleries shall be governed by the following rule:

The galleries over the western entrance to the Senate Chamber and over the northeastern corner of said Chamber shall be set apart for the use of the families of Senators, of members of the House of Representatives, of Cabinet Ministers, and of judges of the Supreme Court of the United States. Other persons may be admitted to said galleries upon the card of a Senator. The period to which such card of admission shall be limited rests entirely in the discretion of the Senator issuing it.

LADIES' GALLERY.

The gallery extending from the Senate Gallery to the Diplomatic Gallery shall be set apart for the use of ladies and ladies accompanied by gentlemen.

PUBLIC GALLERIES.

The galleries on either side of the western reserved gallery shall be open to the public.

RULE V.

MARBLE ROOM.

The anteroom known as the Marble Room is set apart for Senators and such persons as they may think proper to invite into the same. During the open sessions of the Senate it shall be the duty of the Sergeant-at-Arms to see that such occupation of said room is not interfered with by officers of the Senate or other persons.

RULE VI.

CLOAKROOMS.

No persons shall be admitted to the cloakrooms adjoining the Senate Chamber excepting those entitled to the privileges of the Senate floor under Standing Rule XXXIII.

RULE VII.

HEATING AND VENTILATING DEPARTMENT.

No person shall be admitted to the heating and ventilating department of the Senate Wing of the Capitol, except upon a pass from the Sergeant-at-Arms, or unless accompanied by an officer of the Senate.

And all engineers and others who are engaged in heating and ventilating the Senate Wing of the Capitol shall be subject to the orders and in all respects under the direction of the Architect of the Capitol, subject to the approval of the Senate Committee on Rules. [Stat. at L., vol. 25, p. 258.

RULE VIII.

BARBER SHOP AND BATHROOMS.

The barber shop, and bathrooms connected therewith, shall be reserved exclusively for the use of Senators. The bathroom in the heating and ventilating department of the Senate Wing shall be for the use of employees of the Senate; and no other persons shall be entitled to its privileges.

RULE IX.

SENATE RESTAURANT.

The large private room of the restaurant shall be reserved exclusively for Senators and their guests.

The small private room shall be reserved exclusively for the use of Senators and members of the House of Representatives, and such use of the private rooms of the restaurant shall not be interfered with.

The viands served in the restaurant shall be of the best quality, and the prices for the same shall not exceed those stated in the printed bills of fare, to be previously approved by the Chairman of the Committee on Rules, and said prices shall be subject to modification from time to time as the Chairman of the Committee on Rules may direct.

The restaurant shall be kept open during the session of the Senate and during such other parts of the year as the Committee on Rules may direct.

The caterer shall give his personal attention and care to the management of the restaurant. The equipment for the tables and for the service shall be first class. No spirituous liquors shall be sold, furnished or kept in the restaurant. All parts of the restaurant, with its kitchen and office, shall be kept scrupulously clean, and all waste and garbage shall be removed daily. The rooms and vaults connected with the restaurant shall be kept entirely for its use, and shall not be withdrawn from such use for any purpose. The management of the restaurant and all matters connected therewith shall at all times be subject to such further directions as the Committee on Rules may give.

RULE X.

CORRIDORS, ETC.

The corridors and passageways of the Senate Wing of the Capitol shall be kept open and free from obstructions; and no stands, booths, or counters for the exhibition or sale of any article shall be placed therein.

RULE XI.

PEDDLING, BEGGING, ETC.

Peddling, begging, and the solicitation of book or other subscriptions are strictly forbidden in the Senate Wing of the Capitol, and no portion of said wing shall be occupied by signs or other devices for advertising any article whatsoever, excepting time tables in the Post-Office and such signs as may be necessary to designate the entrances to the Senate restaurant.

RULE XII.

SMOKING.

Smoking is prohibited in the elevators, corridors, and passageways of the Senate Wing of the Capitol.

RULE XIII.

CARDS AND COMMUNICATIONS IN THE MORNING HOUR.

No cards, letters, or other communications, except letters from Senators' families, and official communications, shall be sent to a Senator in the Chamber during the daily sessions of the Senate before 2 o'clock p. m., unless he shall so direct.

RULE XIV.

CARDS AND COMMUNICATIONS DURING EXECUTIVE SESSIONS.

No cards, letters, or other communications shall be sent to Senators in the Chamber when the Senate is in executive session, except cards of members of the House of Representatives, calls from the Supreme Court of the United States, letters from Senators' families, official communications and telegrams, unless Senators shall direct the messenger at the main door of the Senate Chamber otherwise.

RULE XV.

SWEEPING, CLEANING.

All sweeping, cleaning, and dusting of the Senate Wing of the Capitol shall be done, as far as practicable, immediately after the adjournment of each day's session of the Senate, and must, in any event, be completed before 8 o'clock a. m.

RULE XVI.

SENATE ANNEX AND OTHER SENATE BUILDINGS.

All provisions of the foregoing rules so far as practicable are made applicable to the building called the Senate Annex, the buildings used for the storage of Senate documents, and the Senate stables.

STANDING ORDERS NOT EMBRACED IN THE RULES, AND RESOLUTIONS AND SUCH PARTS OF LAWS AS AFFECT THE BUSINESS OF THE SENATE.

THE LAST SESSION OF A CONGRESS EXPIRES AT 12 O'CLOCK MERIDIAN ON THE 4TH DAY OF MARCH.

On the 3d of March, 1851, on which day the Thirty-first Congress expired, and on which the terms of one-third of the members of the Senate would also expire, the Senate being in session at 12 o'clock midnight, a Senator (Mr. Mason, of Virginia) expressed a doubt, believing that his present term of service expired at that hour, whether he could continue to act as a Senator unless he were qualified under his credentials of reelection, and desired that the oath of office be administered to him by the President of the Senate under those credentials.

The Senate thereupon passed, by a vote of twenty-seven yeas to eleven nays, the following resolution:

Resolved, That inasmuch as the second session of the Thirty-first Congress does not expire under the Constitution until 12 o'clock on the 4th of March instant, the Honorable James M. Mason, a Senator elect from the State of Virginia, is not entitled to take the oath of office at this time, to wit, on the 4th of March, at 1 o'clock a. m.

[Sen. Jour., 31st Cong., 2d sess., p. 251.

LIMITATION AS TO LENGTH OF SERVICE AND AGE OF PAGES OF THE SENATE.

Resolved, That it shall be the duty of the Sergeant-at-Arms to classify the pages of the Senate so that at the close of the

present and each succeeding Congress one-half the number shall be removed; and in no case shall a page be appointed younger than 12 years, or remain in office after the age of 16 years, or for a longer time than two Congresses, or four years.

[Sen. Jour., 1st sess. 33d Cong., p. 514; 3d sess. 41st Cong., p. 26.

PAYMENT OF WITNESSES.

Resolved, That the rule for paying witnesses summoned to appear before the Senate or any of its committees shall be as follows: For each day a witness shall attend, the sum of three dollars. For each mile he shall travel in coming to or going from the place of examination, the sum of five cents each way: *Provided*, That witnesses residing west of the one hundred and tenth meridian shall be paid the sum of seven cents each way for each mile they shall travel in coming to or going from the place of examination, when the place of examination shall be east of the Mississippi River; but nothing shall be paid for traveling when the witness has been summoned at the place of examination. [Sen. Jour., 2d sess. 44th Cong., p. 51.

SPECIAL DEPUTIES.

Resolved, That the Sergeant-at-Arms of the Senate is authorized and empowered from time to time to appoint such special deputies as he may think necessary to serve process or perform other duties devolved upon the Sergeant-at-Arms by law or the rules or orders of the Senate, or which may hereafter be devolved upon him, and in such case they shall be officers of the Senate; and any act done or return made by the deputies so appointed shall have like effect and be of the same validity as if performed or made by the Sergeant-at-Arms in person.

[Senate Resolution, December 17, 1889.

THE ADMINISTERING OF OATHS TO AND THE EXAMINATION OF WITNESSES BEFORE COMMITTEES OF EITHER HOUSE OF CONGRESS.

[REVISED STATUTES.]

SEC. 101. The President of the Senate, the Speaker of the House of Representatives, or a chairman of a Committee of the Whole, or of any committee of either House of Congress, is empowered to administer oaths to witnesses in any case under their examination.

SEC. 102. Every person who, having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House, or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any questions pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars nor less than one hundred dollars, and imprisonment in a common jail for not less than one month nor more than twelve months.

SEC. 103. No witness is privileged to refuse to testify to any fact, or to produce any paper, respecting which he shall be examined by either House of Congress, or by any committee of either House, upon the ground that his testimony to such fact or his production of such paper may tend to disgrace him or otherwise render him infamous.

SEC. 104. Whenever a witness, summond as mentioned in section one hundred and two, fails to testify, and the facts are reported to either House, the President of the Senate or the Speaker of the House, as the case may be, shall certify the fact, under the seal of the Senate or House, to the district attorney

for the District of Columbia, whose duty it shall be to bring the matter before the grand jury for their action.

SEC. 859. No testimony given by a witness before either House or before any committee of either House of Congress shall be used as evidence in any criminal proceeding against him in any court, except in a prosecution for perjury committed in giving such testimony. But an official paper or record produced by him is not within the said privilege.

FURTHER PROVISION FOR THE ADMINISTERING OF OATHS IN THE SENATE.

The Presiding Officer, for the time being, of the Senate of the United States, shall have power to administer all oaths and affirmations that are or may be required by the Constitution, or by law, to be taken by any Senator, officer of the Senate, witness, or other person, in respect of any matter within the jurisdiction of the Senate.

SEC. 2. That the Secretary of the Senate, and the Chief Clerk thereof, shall, respectively, have power to administer any oath or affirmation required by law, or by the rules or orders of the Senate, to be taken by any officer of the Senate, and to any witness produced before it. [19 Stats., p. 34.

Any member of either House of Congress may administer oaths to witnesses in any matter depending in either House of Congress of which he is a member, or any committee thereof. [23 Stats., p. 60.

THREE SENATORS TO BE APPOINTED BY THE PRESIDENT OF THE SENATE UPON THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION.

By the act to establish the Smithsonian Institution, it is made the duty of the President of the Senate to appoint three Sen-

ators to serve upon the Board of Regents of the Institution. They shall serve during the terms for which they are chosen as Senators, and when vacancies occur, by reason of the expiration of the term of any Senator, the power to fill such vacancy is, by law, vested in the President of the Senate.

[Sen. Jour., 2d sess. 30th Cong., pp. 357-359.

VISITORS TO WEST POINT TO BE APPOINTED BY THE PRESIDENT OF THE SENATE.

In addition to the other members of the Board of Visitors to be appointed by the President, according to existing law, to attend the annual examination of cadets at the United States Military Academy, there shall be on every such board two Senators, to be designated by the Vice-President or the President of the Senate pro tempore, and three members of the House of Representatives, to be designated by the Speaker of the House of Representatives; such designations respectively to be made at the session of Congress next preceding the time of such examinations; and the Senators and members so appointed shall make full report of their action as such Visitors, with their views and recommendations in regard to the said Military Academy, within twenty days after the meeting of Congress, at the session next succeeding the time of their appointment.* [16 Stats., p. 67.

VISITORS TO THE NAVAL ACADEMY TO BE APPOINTED BY THE PRESIDENT OF THE SENATE.

There shall be appointed every year, in the following manner, a Board of Visitors, to attend the annual exam-

* Senators appointed Visitors to the Military Academy are allowed payment of their expenses for board and lodging while at the Academy, and a sum as mileage not to exceed eight cents per mile by the shortest mail route from their homes to the Academy and return. These allowances are paid to them at the Academy by the disbursing officer.

ination of the Naval Academy: Seven persons shall be appointed by the President, and two Senators and three Members of the House of Representatives shall be designated as Visitors by the Vice-President, or President pro tempore of the Senate, and the Speaker of the House of Representatives, respectively, at the session of Congress next preceding such examination. Each member of said Board shall receive not exceeding eight cents per mile traveled by the most direct route from his residence to Annapolis, and eight cents per mile for each mile from said place to his residence on returning.*

DIRECTORS OF THE COLUMBIA INSTITUTION FOR THE DEAF AND DUMB TO BE APPOINTED BY THE PRESIDENT OF THE SENATE.

In addition to the directors provided for by law, there shall be three other directors appointed, as follows: One Senator, by the President of the Senate, and two Representatives by the Speaker of the House, who shall hold their offices for the term of a single Congress and be eligible to reappointment. [15 Stats., p. 233.

DIRECTORS OF THE COLUMBIA HOSPITAL FOR WOMEN AND LYING-IN ASYLUM TO BE APPOINTED BY THE PRESIDENT OF THE SENATE.

In addition to the directors whose appointments are provided for by law, there shall be three other directors appointed, in the following manner: One Senator, by the President of the Senate, and two Representatives, by the Speaker of the House, who shall hold their offices for a single Congress and be eligible to reappointment. [17 Stats., p. 360.

*This mileage is paid by the disbursing officer at the Academy.

TRUSTEE OF THE REFORM SCHOOL OF THE DISTRICT OF COLUMBIA TO BE APPOINTED BY THE PRESIDENT OF THE SENATE.

Two consulting trustees shall be appointed, namely: One Senator of the United States, by the Presiding Officer of the Senate, for the term of four years, and one member of the House of Representatives, by the Speaker thereof, for the term of two years. [19 Stats., p. 52.

TIME OF EXPIRATION OF SERVICE OF MEMBERS OF CONGRESS AS TRUSTEES, ETC.

That in all cases where members of Congress or Senators are appointed to represent Congress on any board of trustees or board of directors of any corporation or institution to which Congress makes any appropriation, the terms of said members or Senators as such trustee or director shall continue until the expiration of two months after the first meeting of the Congress chosen next after their appointment. [27 Stats., p. 165.

OPERATOR OF TELEGRAPH, SENATE WING, TO BE APPOINTED BY THE PRESIDENT OF THE SENATE.

Ordered, That the Presiding Officer of the Senate be authorized to appoint the operator for the Senate Wing of the Capitol provided for in the act in relation to lines of telegraph connecting the Capitol with the various Departments of the Government. [Sen. Jour., 1st sess. 43d Cong., p. 208.

EXTRA BINDING FOR MEMBERS OF SENATE AND HOUSE.

That the Public Printer be authorized to bind at the Government Printing Office any books, maps, charts, or documents

published by authority of Congress, upon application of any member of the Senate or House of Representatives, upon payment of the actual cost of such binding. [20 Stats., p. 5.

FRANKING PRIVILEGE.

That seeds transmitted by the Commissioner of Agriculture, or by any member of Congress or Delegate, receiving seeds for distribution from said Department, together with agricultural reports emanating from that Department, and so transmitted, shall, under such regulations as the Postmaster-General shall prescribe, pass through the mails free of charge. And the provisions of this section shall apply to ex-members of Congress and ex-Delegates for the period of nine months after the expiration of their terms as members and Delegates. [18 Stats., p. 343.

SEC. 85. The Vice-President, Senators, Representatives, and Delegates in Congress, the Secretary of the Senate, and Clerk of the House of Representatives may send and receive through the mail all public documents printed by order of Congress; and the name of the Vice-President, Senator, Representative, Delegate, Secretary of the Senate, and Clerk of the House shall be written thereon, with the proper designation of the office he holds; and the provisions of this section shall apply to each of the persons named herein until the first day of December following the expiration of their respective terms of office.

The Vice-President, members and members elect of and Delegates and Delegates elect to Congress, shall have the privilege of sending free through the mails, and under their frank, any mail matter to any Government official or to any person, correspondence, not exceeding one ounce in weight, upon official or departmental business. [28 Stats., p. 601.

SEC. 3. That the members and members elect of Congress shall have the privilege of sending free through the mails and under their frank letters to any officer of the Government when addressed officially. [26 Stats., p. 1081.

COMPENSATION OF MEMBERS OF CONGRESS.

The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. [Const., art. 1, sec. 6, clause 1.

The compensation of each Senator, Representative, and Delegate in Congress shall be five thousand dollars per annum; and in addition thereto, mileage at the rate of twenty cents per mile, to be estimated by the nearest route usually traveled in going to and returning from each regular session: *Provided*, That hereafter mileage accounts of Senators shall be certified by the President of the Senate, and those of Representatives and Delegates by the Speaker of the House of Representatives.

[14 Stats., p. 323.

Mileage for two sessions only, to be paid in the following manner, to wit: On the first day of each regular session, each Senator, Representative, and Delegate shall receive his mileage for one session; and at the beginning of the second regular session of the Congress, each Senator, Representative, and Delegate shall receive his mileage for such second session.

[11 Stats., p. 48.

On the first day of the first session of each Congress, or as soon thereafter as he may be in attendance and apply, each Senator, Representative, and Delegate shall receive his mileage as now allowed by law; and on the first day of the second, or any subsequent session, he shall receive his mileage as now allowed. [11 Stats., p. 367.

A yearly allowance of one hundred and twenty-five dollars for stationery and newspapers is now made to Senators.

[15 Stats., p. 284.

When any book is ordered to and received by any member or Delegate, by a resolution of either or both Houses of Congress, the price paid for the same shall be deducted from the compensation of such member or Delegate, except books ordered to be printed by the Congressional Printer during the Congress for which the member or Delegate was elected. [R. S., sec. 42.

No compensation or allowance shall now or hereafter be made to Senators, Representatives, or Delegates on account of postage.

[R. S., sec. 44.

Each Senator, member of the House of Representatives, and Delegate in Congress, after having taken and subscribed the required oath, shall be entitled to receive his compensation at the end of each month, at the rate now established by law.

[15 Stats., p. 24.

That the said compensation which shall be due to the members of the Senate shall be certified by the President thereof; and that which shall be due to the Representatives and Delegates shall be certified by the Speaker; and the same shall be passed as public accounts, and paid out of the public Treasury.

[3 Stats., p. 404.

All certificates which have been or may be granted by the Presiding Officers of the Senate and House of Representatives, respectively, of the amount of compensation due to the members of the several Houses and to such Delegates are, and ought to be, deemed, held, and taken, and are hereby declared to be conclusive upon all the Departments and officers of the Government of the United States. [9 Stats., p. 523.

In all cases of vacancy in either House of Congress, by death or otherwise, of any member elected or appointed thereto after

the commencement of the Congress to which he shall have been elected, each person afterwards elected or appointed to fill such vacancy shall be compensated and paid from the time the compensation of his predecessor ceased. [12 Stats., p. 624.

In the event of the death of any Senator, Representative, or Delegate prior to the commencement of the first session of the Congress, he shall be neither entitled to mileage nor compensation; and in the event of death after the commencement of any session, his representatives shall be entitled to receive so much of his compensation, computed at the rate of five thousand dollars per annum, as he may not have received, and any mileage that may have actually accrued and be due and unpaid.

[11 Stats., p. 48.

That whenever hereafter any person elected a member of the Senate and House of Representatives shall die after the commencement of the Congress to which he shall have been so elected, compensation shall be computed and paid to his widow, or if no widow survive him, to his heirs at law, for the period that shall have elapsed from the commencement of such Congress as aforesaid to the time of his death, at the rate of five thousand dollars per annum: *Provided, however*, That compensation shall be computed and paid in all cases for a period of not less than three months: *And provided further*, That in no case shall constructive mileage be computed or paid.

That the compensation of each person elected, or appointed afterward, to supply the vacancy so occasioned, shall hereafter be computed and paid from the time the compensation of his predecessor is hereby directed to be computed and paid for, and not otherwise. [11 Stats., p. 442.

That Senators elected, whose term of office begins on the fourth day of March, and whose credentials in due form of law

shall have been presented in the Senate, but who have had no opportunity to be qualified, may receive their compensation monthly, from the beginning of their term, until there shall be a session of the Senate. [22 Stats., p. 632.

Provided, That the salaries of Senators elected or appointed to fill vacancies in the Senate, and of Senators elected for a full term subsequent to the commencement of such term, shall commence on the date of their election or appointment.

[28 Stats., p. 162.

The President of the Senate pro tempore, when there shall be no Vice-President or the Vice-President shall become President of the United States, shall receive the compensation provided by law for the Vice-President. [11 Stats., p. 48.

The pay of the Speaker of the House of Representatives shall be eight thousand dollars per annum. [14 Stats., p. 323.

CLERKS TO SENATORS ELECT.

Provided, That Senators elected, whose term of office begins on the fourth day of March, and whose credentials in due form of law shall have been presented to the Senate, or filed with the Secretary, but who have not been qualified, are authorized to appoint a clerk to serve from the date of the commencement of their terms respectively, whose compensation shall be paid out of the appropriation for clerks to Senators who are not chairmen of committees. [28 Stats., p. 164.

DUTIES IMPOSED BY LAW ON THE SECRETARY OF THE SENATE.

The moneys which may be appropriated for the compensation of members and officers, and for the contingent expenses of the Senate, shall be paid at the Treasury, in requisitions

drawn by the Secretary of the Senate and shall be kept, disbursed, and accounted for by him according to law, and the Secretary shall be deemed a disbursing officer. [R. S., sec. 56.

The Secretary of the Senate shall, within thirty days after entering upon the duties of his office, and before making any requisition upon the Treasury to draw any portion of the moneys appropriated for the compensation of members and officers or the contingent expenses of the Senate, give a bond to the United States, with one or more sureties, to be approved by the First Comptroller of the Treasury, in the penal sum of twenty thousand dollars, with condition for the faithful application and disbursement of such funds as may be drawn by him from the Treasury as disbursing officer of the Senate. [R. S., sec. 57.

The Secretary of the Senate and the Clerk of the House of Representatives shall prepare and submit to the two Houses, respectively, at the commencement of each session of Congress, the following statements in writing:

First. A statement showing the names of all the clerks and other persons who have been, during the preceding year or any part thereof, employed in their respective offices, and those of the messengers of the respective Houses, together with the time that each clerk or other person and each messenger was actually employed, and the sums paid to each. This statement must also show whether such clerks or other persons, or such messengers have been usually employed; whether the services of any of them can be dispensed with without detriment to the public service, and whether the removal of any particular persons, and the appointment of others in their stead, is required for the better dispatch of business.

Second. A detailed statement, by items, of the manner in which the contingent fund for each House has been expended during the preceding year. This statement must give the names of every person to whom any portion of the fund has been paid; and if for anything furnished, the quantity and price; and if for any services rendered, the nature of such service, and the time employed, and the particular occasion or cause, in brief, that rendered such service necessary, and the amount of all former appropriations in each case on hand, either in the Treasury or in the hands of any disbursing officer or agent.

[R. S., sec. 60.

Each of the statements required by the preceding section shall exhibit, also, the several sums drawn by the Secretary and Clerk, respectively, from the Treasury, and the balances, if any, remaining in their hands. [R. S., sec. 61.

The Secretary of the Senate and the Clerk of the House of Representatives shall each require of the disbursing officers acting under their direction or authority the return of precise and analytical statements and receipts for all moneys which may have been from time to time, during the next preceding year, expended by them; and the results of such returns and the sums total shall be communicated annually to Congress by the Secretary and Clerk, respectively. [R. S., sec. 62.

All expenditures of the Senate and House of Representatives shall be made up to the end of each fiscal year, and shall be reported to Congress at the commencement of each regular session. [R. S., sec. 63.

* * * The fiscal year for the adjustment of the accounts of Secretary of the Senate for compensation and traveling expenses of Senators, * * * shall extend to and include the third day of July. * * * [26 Stats., p. 646.

The Secretary of the Senate and the Clerk of the House of Representatives shall, as soon as may be after the close of each session of Congress, prepare and publish a statement of all appropriations made during the session, a statement of the new offices created and the salaries attached to each, and a statement of the offices the salaries attached to which are increased, and the amount of such increase. [R. S., sec. 64.

The Secretary of the Senate and the Clerk of the House of Representatives shall annually advertise, once a week, for at least four weeks, in one or more of the principal papers published in the District of Columbia, for sealed proposals for supplying the Senate and House of Representatives, respectively, during the next session of Congress with the necessary stationery. [Laws, 2, 43, p. 316; R. S., sec. 65.

The advertisement published under the preceding section must describe the kind of stationery required, and must require the proposals to be accompanied with sufficient security for their performance. [R. S., sec. 66.

All such proposals shall be kept sealed until the day specified in such advertisement for opening the same, when the same shall be opened in the presence of at least two persons, and the contract shall be given to the lowest bidder, provided he shall give satisfactory security to perform the same, under forfeiture not exceeding double the contract price in case of failure; and in case the lowest bidder shall fail to enter into such contract and give such security within a time to be fixed in such advertisement, then the contract shall be given to the next lowest bidder, who shall enter into such contract.

The three preceding sections shall not prevent either the

Secretary or the Clerk from contracting for separate parts of the supplies of stationery required to be furnished. [R. S., sec. 68.

The Secretary of the Senate and the Clerk of the House of Representatives shall, in disbursing the public moneys for the use of the two Houses, respectively, purchase only articles the growth and manufacture of the United States, provided the articles required can be procured of such growth and manufacture upon as good terms as to quality and price as are demanded for like articles of foreign growth and manufacture. [R. S., sec. 69.

The Secretary of the Senate and the Clerk of the House of Representatives, respectively, shall report to Congress on the first day of each regular session, and at the expiration of their terms of service, a full and complete statement of all their receipts and expenditures as such officers, showing in detail the items of expense, classifying them under the proper appropriations, and also showing the aggregate thereof, and exhibiting in a clear and concise manner the exact condition of all public moneys by them received, paid out, and remaining in their possession as such officers. [R. S., sec. 70.

The Secretary of the Senate and the Clerk of the House of Representatives, respectively, are entitled, for transcribing and certifying extracts from the Journal of the Senate, or the Executive Journal of the Senate when the injunction of secrecy has been removed, or from the Journal of the House of Representatives, except when such transcripts are required by an officer of the United States in a matter relating to the duties of his office, to receive from the persons for whom such transcripts are prepared the sum of ten cents for each sheet containing one hundred words. [R. S., sec. 71.

The Secretary of the Senate, the Clerk of the House of Rep-

resentatives, the Sergeant-at-Arms, the Postmasters of the Senate and House of Representatives, and the Doorkeeper of the House of Representatives shall, severally, make out and return to Congress, on the first day of each regular session, and at the expiration of their respective terms of service, a full and complete account of all property belonging to the United States in their possession, respectively, at the time of returning such account. [R. S., sec. 72.

The Secretary of the Senate shall furnish annually to the library of the Academy [West Point] one copy of each document published during the preceding year by the Senate.

[R. S., sec. 1332.

The Secretary of the Senate shall at the close of each session thereof deliver to the Secretary of the Treasury, and to each of the Assistant Secretaries of the Treasury, and to each of the Auditors, and to each of the Comptrollers in the Treasury, and to the Treasurer, and to the Register of the Treasury, a full and complete list, duly certified, of all persons who have been nominated to and rejected by the Senate during such session, and a like list of all the offices to which nominations have been made and not confirmed and filled at such session. [R. S., sec. 1775.

That section forty-eight hundred and thirty-seven of the Revised Statutes of the United States, as amended by the act of Congress approved February eighth, eighteen hundred and eighty-one, be, and hereby is, repealed and reenacted to read as follows, to wit:

"SEC. 4837. That the Secretary of the Senate and the Clerk of the House of Representatives shall cause to be sent to the National Home for Disabled Volunteer Soldiers at Dayton, Ohio, and to the Branches at Togus in Maine, Milwaukee

in Wisconsin, Hampton in Virginia, Marion in Indiana, Leavenworth in Kansas, Santa Monica in California, and to the homes for the widows and orphans of soldiers and sailors established and maintained by any State or Territory, and all soldiers and sailors' homes established by the authority of any State or Territory receiving aid from the United States under legislation of Congress, each, one copy each of the following documents: The session laws of Congress; the annual messages of the President, with accompanying documents in the abridgment thereof; the daily Congressional Record; and the Public Printer is hereby authorized and directed to furnish to the Secretary of the Senate and the Clerk of the House of Representatives the documents referred to in this section."

[28 Stats., p. 159.

The Secretary of the Senate be, and he is hereby, authorized, in his discretion, to advance to the Sergeant-at-Arms of the Senate such sum as may be necessary, not exceeding one thousand dollars, to meet any extraordinary expenses arising during the recess of the Senate. [Stat. at L., vol. 22, p. 333.

That when any duty is imposed upon a committee of the Senate involving expenses which are ordered to be paid out of the contingent fund of the Senate, upon vouchers to be approved by the chairman of the committee charged with such duty, the receipt of the chairman of such committee for any sum paid to him or his order out of said contingent fund by the Secretary of the Senate shall be taken and passed by the accounting officers of the Treasury as a full and sufficient voucher; but it shall be the duty of such chairman, as soon as practicable, to furnish vouchers in detail for the disbursement of such moneys to the Secretary of the Senate, who shall file

them with the accounting officers aforesaid; and this provision shall apply to all cases in which orders of the Senate have already been made. [Stat. at L., vol. 20, p. 419.

Fifth. The Auditor for the State and other Departments shall receive and examine * * * all accounts relating to the * * * Senate. * * * He shall certify the balances arising thereon to the division of bookkeeping and warrants, and send forthwith a copy of each certificate, according to the character of the account, to the Secretary of the Senate. * * * [28 Stats., p. 207.

Resolved further, That the Clerk of the House and Secretary of the Senate be, and they are hereby, directed to procure and file, for the use of their respective Houses, copies of all reports made by each committee of all succeeding Congresses; and that the Clerk of the House and the Secretary of the Senate be, and they are hereby, authorized and directed, at the close of each session of Congress, to cause said reports to be indexed and bound, one copy to be deposited in the library of each House and one copy in the room of the committee from which the reports emanated. [Stat. at L., vol. 24, p. 346.

Resolved, That the Secretary shall have the custody of the seal, and shall use the same for the authentication of process, transcripts, copies, and certificates whenever directed by the Senate; and may use the same to authenticate copies of such papers and documents in his office as he may lawfully give copies of. [Sen. Jour., 1st sess. 49th Cong., p. 194.

Resolved, That the Secretary of the Senate be, and he is hereby, authorized to transfer to the custody of the Librarian of Congress such volumes and parts of volumes of newspapers in the files of the Senate as are not needed for current use in his office; and the Librarian of the Senate shall also transfer

to the Library of Congress the collection of maps now in that library, the same to be catalogued and to form part of the collections of the Library of Congress.

[Sen. Jour., 1st sess. 49th Cong., p. 1165.

BINDING FOR SENATE LIBRARY.

The Secretary of the Senate is authorized to make requisition upon the Public Printer for the binding for the Senate library of such books as he may deem necessary, at a cost not to exceed two hundred dollars per year. [28 Stats., p. 958.

CLAIMS ARISING FROM INDIAN DEPREDATIONS.

SEC. 11. That all papers, reports, evidence, records, and proceedings now on file or of record in any of the Departments, or the office of the Secretary of the Senate, or the office of the Clerk of the House of Representatives, or certified copies of the same, relating to any claims authorized to be prosecuted under this act, shall be furnished to the court upon its order, or at the request of the Attorney-General. [26 Stats., p. 854.

DUTIES IMPOSED BY LAW ON THE SERGEANT-AT-ARMS AND DOORKEEPER OF THE SENATE.

The Secretary of the Senate, the Clerk of the House of Representatives, the Sergeant-at-Arms, the Postmasters of the Senate and House of Representatives, and the Doorkeeper of the House of Representatives, shall, severally, make out and return to Congress, on the first day of each regular session, and at the expiration of their respective terms of service, a full and complete account of all property belonging to the United States in their possession, respectively, at the time of returning such account. [R. S., sec. 72.

The Doorkeepers of the Senate and House of Representatives shall perform the usual services pertaining to their respective offices during the session of Congress, and shall in the recess, under the direction of the Secretary of the Senate and Clerk of the House of Representatives, take care of the apartments occupied by the respective Houses, and provide fuel and other accommodations for their subsequent session. [R. S., sec. 73.

The Sergeant-at-Arms of the Senate and of the House of Representatives are authorized to make such regulations as they may deem necessary for preserving the peace and securing the Capitol from defacement, and for the protection of the public property therein, and they shall have power to arrest and detain any person violating such regulations until such person can be brought before the proper authorities for trial. [R. S., sec. 1820.

The members of the Capitol police shall be appointed by the Sergeants-at-Arms of the two Houses and the Architect of the Capitol, and shall be paid their salaries on the order of the Sergeant-at-Arms of the Senate and the Sergeant-at-Arms of the House, or either of them. The Sergeants-at-Arms of the two Houses shall select and regulate the uniforms and equipments of the Capitol police. [R. S., secs. 1821 and 1824.

Hereafter, whenever any deceased Senator or member of the House of Representatives shall be actually interred in the Congressional Cemetery, so called, it shall be the duty of the Sergeant-at-Arms of the Senate in the case of a Senator, and of the Sergeant-at-Arms of the House of Representatives in the case of a member of the House, to have a monument erected, of granite, with suitable inscriptions, and the cost of the same shall be a charge upon and paid out either from the contingent funds of the Senate or of the House of Representatives, to

whichever the deceased may have belonged, and any existing omissions of monuments or inscriptions, as aforesaid, are hereby directed and authorized to be supplied in like manner; and all laws upon the subject of monuments in the Congressional Cemetery are hereby repealed. [Stat. at L., vol. 19, p. 54.

It shall be the duty of the Clerk and Doorkeeper of the House of Representatives and the Secretary and Sergeant-at-Arms of the Senate to cause to be sold all waste paper and useless documents and condemned furniture that have accumulated during the fiscal year eighteen hundred and eighty-two, or that may hereafter accumulate in their respective departments or offices, under the direction of the Committee on Accounts of their respective Houses, and cover the proceeds thereof into the Treasury; and they shall, at the beginning of each regular session of Congress, report to their respective Houses the amount of said sales. [Stat. at L., vol. 22, p. 337.

And hereafter all purchases of coal and wood for the Senate and House of Representatives of the United States shall be made by advertising once a week, for at least four weeks, in three of the principal papers published in the District of Columbia, for sealed proposals for supplying the same; and the contract shall be given to the lowest bidder, provided he shall give satisfactory security to perform the same, under a forfeiture not exceeding double the contract price in case of failure. When immediate delivery is required by the public exigency, such supplies may be procured by purchase in open market, at the places and in the manner in which such supplies are usually bought and sold. Purchases of stationery and materials for folding shall be made in accordance with sections sixty-five, sixty-six, sixty-seven, sixty-eight, and sixty-nine, of the Re-

vised Statutes of the United States: *Provided further*, That all contracts and bonds for purchases made under the authority of this act shall be filed with the Committee to Audit and Control the Contingent Expenses of the Senate, or the Committee on Accounts of the House of Representatives, respectively.

[Stat. at L., vol. 24, p. 596.

JOINT RESOLUTION PROVIDING FOR THE ERECTION OF A SUITABLE BUILDING FOR THE STORAGE OF DOCUMENTS FOR THE USE OF THE SENATE.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Sergeant-at-Arms of the Senate of the United States is hereby directed to have erected upon the ground owned by the United States, west of the house known as the Maltby House, situated on the southwest corner of New Jersey avenue and B street northwest, a suitable building for the folding and storage of documents for the use of the Senate, on plans and specifications approved by the Committee on Public Buildings and Grounds: *Provided*, That the expense of erecting said building shall not exceed the sum of seven thousand five hundred dollars, and which shall be paid from the miscellaneous items of the contingent fund of the Senate upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate. [28 Stats., p. 12.

DUTIES IMPOSED BY LAW ON THE JOINT COMMITTEE ON PRINTING.

The Joint Committee on Public Printing shall have power to adopt such measures as may be deemed necessary to remedy any neglect or delay in the execution of the public printing, but no arrangement entered into by them shall take effect until

it has been approved by that House of Congress to which the printing belongs, or by both Houses when the printing delayed relates to the business of both. [R. S., sec. 3787.

EXTRACTS FROM "AN ACT PROVIDING FOR THE PUBLIC PRINTING AND BINDING AND THE DISTRIBUTION OF PUBLIC DOCUMENTS," APPROVED JANUARY 12, 1895.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be a Joint Committee on Printing, consisting of three members of the Senate and three members of the House of Representatives, who shall have the powers hereinafter stated.

SEC. 2. The Joint Committee on Printing shall have power to adopt such measures as may be deemed necessary to remedy any neglect or delay in the execution of the public printing; and the committee shall have power to order reprinted not exceeding three hundred copies of a public bill pending before either House of Congress when the supply shall have become exhausted and the interests of the public service demand immediate action.

SEC. 3. The Joint Committee on Printing shall fix upon standards of paper for the different descriptions of public printing and binding, and the Public Printer shall, under their direction, advertise in two newspapers published in each of the cities of Boston, New York, Philadelphia, Baltimore, Washington, Cincinnati, Saint Louis, Louisville, Omaha, Denver, San Francisco, and Chicago, for sealed proposals to furnish the Government with paper, as specified in the schedule to be furnished to applicants by the Public Printer, setting forth in detail the quality and quantities required for the public printing. And

the Public Printer shall furnish samples of the standard of papers fixed upon to applicants therefor who shall desire to bid.

SEC. 4. The advertisements shall specify the minimum portion of each quality of paper required for either three months, six months, or one year, as the Joint Committee on Printing may determine; but when the minimum portion so specified exceeds, in any case, one thousand reams, it shall state that proposals will be received for one thousand reams or more.

SEC. 5. The sealed proposals to furnish paper shall be opened in the presence of the Joint Committee on Printing, and the contracts shall be awarded by them to the lowest and best bidder for the interest of the Government; but they shall not consider any proposal which is not accompanied by a bond approved by a judge or clerk of a court of record in the penalty of five thousand dollars that the bidder or bidders, if his or their proposal is accepted, shall enter into a contract to furnish the articles proposed for, and by satisfactory evidence that the person making it is a manufacturer of or dealer in the description of paper which he proposes to furnish.

SEC. 6. No contract for furnishing paper shall be valid until it has been approved by the Joint Committee on Printing, if made under their direction, or by the Secretary of the Interior, if made under his direction, according to the provisions of section 9 of this act. The award of each contract for furnishing paper shall designate a reasonable time for its performance. The contractor shall give bond in such amount as may be fixed by, and to the approval of, the Joint Committee on Printing.

SEC. 7. The Public Printer shall compare every lot of paper delivered by any contractor with the standard of quality fixed

upon by the Joint Committee on Printing, and shall not accept any paper which does not conform to it in every particular.

SEC. 8. In case of difference of opinion between the Public Printer and any contractor for paper respecting its quality, the matter of difference shall be determined by the Joint Committee on Printing, or by the Secretary of the Interior when Congress is not in session, and the decision of said Joint Committee or of the Secretary of the Interior shall be final as to the United States.

SEC. 9. If any contractor shall fail to comply with his contract, the Public Printer shall report such default to the Joint Committee on Printing, when Congress is in session, or to the Secretary of the Interior when Congress is not in session; and he shall, under the direction of the Committee, or of the Secretary of the Interior, as the case may be, enter into a new contract with the lowest, best, and most responsible bidder for the interest of the Government among those whose proposals were rejected at the last opening of bids, or he shall advertise for new proposals, under the regulations hereinbefore stated; and during the interval which may thus occur he shall, under the direction of the Joint Committee on Printing, or of the Secretary of the Interior, purchase in open market, at the lowest market price, all paper necessary for the public printing.

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SEC. 11. The Joint Committee on Printing, or during the recess of Congress the Secretary of the Interior, may authorize the Public Printer to make purchase of paper in open market whenever they may deem the quantity required so small or the want so immediate as not to justify advertisement for proposals.

SEC. 12. The Joint Committee is authorized to give permission to the Public Printer to purchase material other than paper

in open market whenever in their opinion it would not promote the public interest to advertise for proposals and to make contracts for the same: *Provided, however*, That the purchases authorized by this act shall not in any term of six months exceed the sum of fifty dollars for any particular article required.

SEC. 13. The Joint Committee shall have control of the arrangement and style of the Congressional Record, and while providing that it shall be substantially a verbatim report of proceedings shall take all needed action for the reduction of unnecessary bulk, and shall provide for the publication of an index of the Congressional Record semimonthly during the sessions of Congress and at the close thereof.

SEC. 14. The Joint Committee shall designate to the Public Printer a competent person to prepare the semimonthly and session index to the Congressional Record, and shall fix and regulate the compensation to be paid by the Public Printer for the said work and direct the form and manner of its publication and distribution.

SEC. 15. When the probable total cost of the maps or plates accompanying one work or document exceeds twelve hundred dollars, the lithographing or engraving thereof shall be awarded to the lowest and best bidder, after advertisement by the Public Printer, under the direction of the Joint Committee, which may authorize him to make immediate contracts for lithographing or engraving whenever the exigencies of the public service do not justify advertisement for proposals.

SEC. 16. The Public Printer shall prepare a schedule of materials required to be purchased, showing the description, quantity, and quality of each article, and shall invite proposals for furnishing the same, either by advertisement or circular, as the Joint

Committee on Printing may direct, and shall make contracts for the same with the lowest responsible bidder, making a return of the same to the Joint Committee, showing the number of bidders, the amounts of each bid, and the awards of the contracts.

* * * * *

SEC. 19. The Public Printer shall make annual report to Congress, and in it specify the number of copies of each Department report and document printed upon requisition by the head of the Department for which the printing was done, and he shall also specify in said report the exact number of copies of books, giving the titles of the books, bound upon requisition for Senators, Representatives, Delegates, and other officers of the Government and the cost thereof.

SEC. 20. The chief clerk, the foreman of printing, and a person designated by the Joint Committee on Printing, shall constitute a board to examine and report in writing on all paper delivered under contract, or by purchase or otherwise, at the Government Printing Office. The chief clerk, foreman of binding, and a person designated by the Joint Committee on Printing shall constitute a board to examine and report in writing on all material, except paper, for the use of the bindery. The chief clerk, the foreman of printing, and a person designated by the Joint Committee on Printing shall constitute a board of condemnation, who, upon the call of the Public Printer, shall determine the condition of presses and other machinery and material used in the Government Printing Office with a view to condemnation.

* * * * *

SEC. 22. The Public Printer shall, on the first day of each regular session, report to Congress the exact condition

and the quantity and cost of all printing, binding, lithographing, and engraving; the quantity and cost of all paper purchased for the same; a detailed statement of all proposals and contracts entered into for the purchase of paper and other materials, and for lithographing and engraving; of all payments made, during the preceding year, under his direction; of the quantity of work ordered and done, with a general classification thereof, for each Department, and a detailed statement of each account with the Departments or public officers; a classified detailed statement of the number of hands employed and the sums paid to each; and such other information touching all matters connected with the Printing Office as may be in his possession.

* * * * *

SEC. 24. There shall be reserved by the Public Printer from the quota of each member of Congress and Delegate one copy of the Congressional Record in unstitched form, to be delivered to each member or Delegate; and there shall be furnished to each standing committee of Congress one copy, which copies for members and committees shall be bound promptly in paper when each semimonthly index shall be issued, and shall be delivered without delay.

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SEC. 29. Moneys received from sales of extra copies of documents, paper shavings, imperfections, waste gold leaf, leather and book-cloth scraps, and for the sale of old and condemned material shall be deposited by the Public Printer in the Treasury of the United States, and a detailed statement thereof shall be included in his annual report to Congress.

* * * * *

SEC. 31. All printing offices in the Departments now in operation, or hereafter put in operation, by law, shall be considered a part of the Government Printing Office, and shall be under the control of the Public Printer, who shall furnish all presses, types, imposing stones, and necessary machinery and material for said offices from the general supplies of the Government Printing Office; and all paper and material of every kind used in the said offices for departmental work, except letter and note paper and envelopes, shall be supplied by the Public Printer; and all persons employed in said printing offices and binderies shall be appointed by the Public Printer, and be carried on his pay roll the same as employees in the main office, and shall be responsible to him: *Provided*, That the terms of this act shall not apply to the office in the Weather Bureau, or to so much of the printing as is necessary to expedite the work of the Record and Pension Division of the War Department, nor to the printing office now in operation in the Census Office; but the Public Printer, with the approval of the Joint Committee on Printing, may abolish any of these excepted offices whenever in their judgment the economy of the public service would be thereby advanced.

All work done in the said offices shall be ordered on blanks prepared for that purpose by the Public Printer, which shall be numbered consecutively, and must be signed by someone designated by the head of the Department for which the work is to be done, who shall be held responsible for all work thus ordered, and who shall quarterly report to the head of the Department a classified statement of the work done and the cost thereof, which report shall be transmitted to the Public Printer in time for his annual report to Congress. The

Public Printer shall show in detail, in his annual report, the cost of operating each departmental office.

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SEC. 35. The Public Printer is hereby authorized, under great urgency, while in occupancy of the present Government Printing Office, to procure suitable storage room as near said building as practicable, for the temporary storage of the property of the Government, with a view to relieving the said office from undue strain: *Provided*, That no contract for nor lease of buildings or accommodations for this purpose shall be made or entered into for a longer period than one year, and that every such contract or lease shall be first submitted to the Joint Committee on Printing for their approval and be approved by them.

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SEC. 37. It shall be lawful for the Public Printer to print and deliver, upon the order of any Senator, Representative, or Delegate, extracts from the Congressional Record, the person ordering the same paying the cost thereof; and documents and reports of committees, with the evidence and papers submitted therewith, or any part thereof ordered printed by Congress, may be reprinted by the Public Printer on order of any member of Congress or Delegate, on prepayment of cost thereof. The Public Printer may furnish without cost to Senators, Members, and Delegates envelopes ready for mailing the Congressional Record or any part thereof, or speeches, or reports therein contained. Envelopes so furnished shall contain in the upper left-hand corner thereof the following words, to wit: "Senate United States (or House of Representatives, U. S.). Part of Congressional Record. Free," and in upper right-hand corner the

letters "U. S. S." or "M. C." But he shall not print any other words thereon, except at the personal expense of the Senator, Member, or Delegate ordering the same, except to affix the official title of a document.

He may also furnish without cost to Senators, Members, and Delegates blank franks for public documents. Franks so furnished shall contain in the upper left-hand corner thereof the following words, to wit: "Public document. Free. United States Senate (or House of Representatives U. S.)," and in upper right-hand corner the letters "U. S. S." or "M. C." But he shall not print any other words thereon, except where it may be desirable to affix the official title of a document. All other words printed thereon shall be at the personal expense of the Senator, Member, or Delegate ordering the same.

At the request of any Congressman, the Public Printer is authorized to print upon franks or envelopes used for mailing public documents or seed the facsimile stamp of said Congressman and a special request for return if not called for, and the name of the State and county and city, said Congressman to deposit with his order the extra expense involved in printing these additional words.

All moneys accruing under this section shall be deposited by the Public Printer in the Treasury of the United States and accounted for in his annual report to Congress.

*The Public Printer, under section thirty-seven of the "Act providing for the public printing and binding and the distribution of public documents," approved January 12, 1895, may, at the request of any Senator, Representative, or Delegate in Congress, print on envelopes authorized to be furnished, in

*This is in amendment of the foregoing section 37, clause 2.

addition to the words therein named, the name of the Senator, Representative, or Delegate, and State, the date, and the topic or subject-matter, not exceeding twelve words. [28 Stats., p. 961.

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SEC. 40. The Public Printer, under the direction of the Joint Committee, may print for sale, at a price sufficient to reimburse the expense of such printing, the current Congressional Directory and the current numbers and bound sets of the Congressional Record. The money derived from such sales shall be paid into the Treasury and accounted for in his annual report to Congress, and no sales shall be made on credit.

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SEC. 42. The Public Printer shall furnish to all applicants giving notice before the matter is put to press, not exceeding two hundred and fifty to any one applicant, copies of bills, reports, and documents, said applicants paying in advance the cost of such printing with ten per centum added: *Provided*, That the printing of such work for private parties shall not interfere with the printing for the Government.

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SEC. 52. The Public Printer shall sell, under such regulations as the Joint Committee on Printing may prescribe, to any person or persons who may apply additional or duplicate stereotype or electrotype plates from which any Government publication is printed, at a price not to exceed the cost of composition, the metal and making to the Government and ten per centum added: *Provided*, That the full amount of the price shall be paid when the order is filed: *And provided further*, That no publication reprinted from such stereotype or electrotype plates and no other Government publication shall be copyrighted.

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SEC. 53. The Public Printer shall examine closely the orders of the Senate and House for printing, and in case of duplication he shall print under the first order received.

SEC. 54. Whenever any document or report shall be ordered printed by Congress, such order to print shall signify the "usual number" of copies for binding and distribution among those entitled to receive them. No greater number shall be printed unless ordered by either House, or as hereinafter provided. When a special number of a document or report is ordered printed, the usual number shall also be printed, unless already ordered. The usual number of documents and reports shall be one thousand six hundred and eighty-two copies, which shall be distributed as follows:

OF THE HOUSE DOCUMENTS AND REPORTS, UNBOUND.—To the Senate document room, one hundred and fifty copies; to the office of the Secretary of the Senate, ten copies; to the House document room, four hundred and twenty copies; to the Clerk's office of the House, twenty copies.

OF THE SENATE DOCUMENTS AND REPORTS, UNBOUND.—To the Senate document room, two hundred and twenty copies; office of the Secretary of the Senate, ten copies; to the House document room, three hundred and sixty copies; to the Clerk's office of the House, ten copies.

That of the number printed, the Public Printer shall bind one thousand and eighty-two copies, which shall be distributed as follows:

OF THE HOUSE DOCUMENTS AND REPORTS, BOUND.—To the Senate Library, fifteen copies; to the Library of Congress, two copies, and fifty additional copies for foreign exchanges; to the House Library, fifteen copies; to the Superintendent of Docu-

ments, five hundred copies, for distribution to the State and Territorial libraries and designated depositories.

OF THE SENATE DOCUMENTS AND REPORTS, BOUND.—To the Senate Library, fifteen copies; to the Library of Congress, two copies, and fifty copies additional for foreign exchanges; to House Library, fifteen copies; to the Superintendent of Documents, five hundred copies, for distribution to State and Territorial libraries and designated depositories. These documents shall be bound in full sheep, and in binding documents the Public Printer shall give precedence to those that are to be distributed to libraries and to designated depositories: *Provided*, That any State or Territorial library or designated depository entitled to documents that may prefer to have its documents in unbound form, may do so by notifying the Superintendent of Documents to that effect prior to the convening of each Congress.

The remainder of said documents and reports shall be reserved by the Public Printer in unstitched form, and shall be held subject to be bound in the number provided by law, upon orders from the Vice-President, Senators, Representatives, Delegates, Secretary of the Senate, and Clerk of the House, in such binding as they shall select, except full morocco or calf; and when not called for and delivered within two years after printing shall be delivered in unbound form to the Superintendent of Documents for distribution. All of the "usual number" shall be printed at one time.

SEC. 55. There shall be printed of each Senate and House public bill and joint, concurrent, and simple resolution six hundred and twenty-five copies, which shall be distributed as follows: To Senate document room, two hundred and twenty-

five copies; office of Secretary of Senate, fifteen copies; House document room, three hundred and eighty-five copies. There shall be printed of each Senate and House private bill two hundred and fifty copies, which shall be distributed as follows: To Senate document room, one hundred and thirty-five copies; to Secretary of Senate, fifteen copies; House document room, one hundred copies. The term private bill shall be construed to mean all bills for the relief of private parties, bills granting pensions, and bills removing political disabilities. All bills and resolutions shall be printed in bill form, and unless specially ordered by either House shall only be printed when referred to a committee, when favorably reported back, and after their passage by either House.

SEC. 56. There shall be printed in slip form one thousand eight hundred and ten copies of public and four hundred and sixty of private laws, postal conventions, and treaties, which shall be distributed as follows: To the House document room, one thousand copies of public and one hundred copies of private laws; to the Senate document room, five hundred and fifty copies of public and one hundred copies of private laws; to the Department of State, five hundred copies of all laws; and to the Treasury Department, sixty of all laws. Postal conventions and treaties shall be distributed as private laws.

SEC. 57. There shall be printed of the Journals of the Senate and House of Representatives seven hundred and twenty copies, which shall be distributed as follows: To the Senate document room, ninety copies for distribution to Senators, and twenty-five additional copies; to the Senate Library, ten copies; to the House document room, three hundred and sixty copies for distribution to members, and twenty-five additional

copies; to the Department of State, four copies; to the Superintendent of Documents, one hundred and forty-four copies to be distributed to three libraries in each of the States and Territories to be designated by the Superintendent of Documents; to the Library of Congress, twenty-five copies; to the Court of Claims, two copies, and to the Library of the House of Representatives, ten copies. The remaining number of the Journals of the Senate and House of Representatives, consisting of twenty-five copies, shall be furnished to the Secretary of the Senate and the Clerk of the House of Representatives, respectively, as the necessities of their respective offices may require, as rapidly as signatures are completed for such distribution.

SEC. 58. Whenever printing not bearing a Congressional number shall be done for any department or officer of the Government, except confidential matter, blank forms, and circular letters not of a public character, or shall be done for use of Congressional committees, not of a confidential character, two copies shall be sent, unless withheld by order of the committee, by the Public Printer to the Senate and House Libraries, respectively, and one copy each to the document rooms of the Senate and House, for reference; and these copies shall not be removed; and of all publications of the Executive Departments not intended for their especial use but made for distribution, five hundred copies shall be at once delivered to the superintendent of documents for distribution to designated depositories and State and Territorial libraries.

SEC. 59. Orders for printing extra copies shall be by simple, concurrent, or joint resolution. Either House may print extra copies to the amount of five hundred dollars by simple

resolution; if the cost exceeds that sum, the printing shall be ordered by concurrent resolution, except when the resolution is self-appropriating, when it shall be by joint resolution. Such resolutions, when presented to either House, shall be referred immediately to the Committee on Printing, who, in making their report, shall give the probable cost of the proposed printing upon the estimate of the Public Printer; and no extra copies shall be printed before such committee has reported.

SEC. 60. There shall be one document room of the Senate and one of the House of Representatives, to be designated, respectively, the "Senate and House document room." Each shall be in charge of a superintendent, who shall be appointed by the Sergeant-at-Arms of the Senate and the Doorkeeper of the House, respectively, who shall also appoint the necessary number of assistants: *Provided*, That this section shall not take effect until the first day of the first session of the Fifty-fourth Congress.

SEC. 61. The Public Printer shall appoint a competent person to act as Superintendent of Documents, and shall fix his salary. The Superintendent of Documents so designated and appointed is hereby authorized to sell at cost any public document in his charge, the distribution of which is not herein specifically directed, said cost to be estimated by the Public Printer and based upon printing from stereotyped plates; but only one copy of any document shall be sold to the same person, excepting libraries or schools by which additional copies are desired for separate departments thereof, and members of Congress; and whenever any officer of the Government having in his charge documents published for sale shall desire to be relieved of the same, he is hereby authorized to turn them over to the Superin-

tendent of Documents, who shall receive and sell them under the provisions of this section. All moneys received from the sale of documents shall be returned to the Public Printer on the first day of each month and be by him covered into the Treasury monthly, and the Superintendent of Documents shall report annually the number of copies of each and every document sold by him, and the price of the same. He shall also report monthly to the Public Printer the number of documents received by him and the disposition made of the same. He shall have general supervision of the distribution of all public documents, and to his custody shall be committed all documents subject to distribution, excepting those printed for the special official use of the Executive Departments, which shall be delivered to said Departments, and those printed for the use of the two Houses of Congress, which shall be delivered to the folding rooms of said Houses and distributed or delivered ready for distribution to Members and Delegates upon their order by the superintendents of the folding rooms of the Senate and House of Representatives.

SEC. 62. The Superintendent of Documents shall, at the close of each regular session of Congress, prepare and publish a comprehensive index of public documents, beginning with the Fifty-third Congress, upon such plan as shall be approved by the Joint Committee on Printing; and the Public Printer shall, immediately upon its publication, deliver to him a copy of each and every document printed by the Government Printing Office; and the head of each of the Executive Departments, bureaus, and offices of the Government shall deliver to him a copy of each and every document issued or published by such Department, bureau, or office not confidential in its character. He shall also prepare and print in one volume a consolidated

index of Congressional documents, and shall index such single volumes of documents as the Joint Committee on Printing shall direct. Of the comprehensive index and of the consolidated index two thousand copies each shall be printed and bound in addition to the usual number, two hundred copies for the use of the Senate, eight hundred copies for the use of the House, and one thousand copies for distribution by the Superintendent of Documents.

SEC. 63. The Secretary and Sergeant-at-Arms of the Senate and the Clerk and Doorkeeper of the House of Representatives shall cause an invoice to be made of all public documents stored in and about the Capitol, other than those belonging to the quota of members of the present Congress, to the Library of Congress, and the Senate and House Libraries and document rooms, and all such documents shall by the superintendents, respectively, of the Senate and House folding rooms be put to the credit of Senators, Representatives, and Delegates of the present Congress, in quantities equal to the number of volumes and as nearly as possible in value, to each member of Congress, and said documents shall be distributed upon the orders of Senators, Representatives, and Delegates, each of whom shall be supplied by the superintendents of the folding rooms with a list of the number and character of the publications thus put to his credit: *Provided*, That before said apportionment is made copies of any of these documents desired for the use of committees of the Senate or House shall be delivered to the chairmen of such committees: *And provided further*, That four copies of each and all leather-bound documents shall be reserved and carefully stored, to be used hereafter in supplying deficiencies in the Senate and House Libraries caused by wear or loss, and a sim-

ilar invoice shall be prepared and distribution made as above provided at the convening in regular session of each successive Congress.

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SEC. 68. Whenever in the division among Senators, Representatives, and Delegates of documents printed for the use of Congress there shall be an apportionment to each or either House in round numbers, the Public Printer shall not deliver the full number so accredited at the respective folding rooms, but only the largest multiple of the number constituting the full membership of each or either House, including the Secretary and Sergeant-at-Arms of the Senate and Clerk and Doorkeeper of the House, which shall be contained in the round numbers thus accredited to each or either House, so that the number delivered shall divide evenly and without remainder among the members of the House to which they are delivered; and the remainder of all documents thus resulting shall be turned over to the Superintendent of Documents, to be distributed by him, first, to public and school libraries for the purpose of completing broken sets; second, to public and school libraries that have not been supplied with any portion of such sets; and, lastly, by sale to other persons; said libraries to be named to him by Senators, Representatives, and Delegates in Congress; and in this distribution the Superintendent of Documents shall see that as far as practicable an equal allowance is made to each Senator, Representative, and Delegate.

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SEC. 70. The Superintendent of Documents shall thoroughly investigate the condition of all libraries that are now designated depositories, and whenever he shall ascertain that the number of books in any such library, other than college libraries, is

below one thousand, other than Government publications, or it has ceased to be maintained as a public library, he shall strike the same from the list, and the Senator, Representative, or Delegate shall designate another depository that shall meet the conditions herein required.

SEC. 71. There shall be one folding room of the Senate and one folding room of the House of Representatives. They shall be in charge of superintendents, appointed respectively by the Sergeant-at-Arms of the Senate and Doorkeeper of the House, who shall also appoint the necessary assistants. All reports or documents to be distributed for Senators, Representatives, and Delegates shall be folded and distributed from the folding rooms, unless otherwise ordered, and each Senator, Representative, and Delegate shall be notified in writing once every sixty days of the number and character of publications on hand and assigned to him for use and distribution.

SEC. 72. Any Senator, Representative, or Delegate having public documents to his credit at the expiration of his term of office shall take the same prior to the convening of the next succeeding Congress, and if he shall not do so within such period he shall forfeit them to his successor in office.

SEC 73. Extra copies of documents and reports shall be printed promptly when the same shall be ready for publication, and shall be bound in paper or cloth as directed by the Joint Committee on Printing, and shall be of the number following in addition to the usual number:

The Annual Report of the Secretary of Agriculture shall hereafter be submitted and printed in two parts, as follows: Part one, which shall contain purely business and executive matter which it is necessary for the Secretary to submit to the

President and Congress; part two, which shall contain such reports from the different bureaus and divisions, and such papers prepared by their special agents, accompanied by suitable illustrations as shall, in the opinion of the Secretary, be specially suited to interest and instruct the farmers of the country, and to include a general report of the operations of the Department for their information. There shall be printed of part one, one thousand copies for the Senate, two thousand copies for the House, and three thousand copies for the Department of Agriculture; and of part two, one hundred and ten thousand copies for the use of the Senate, three hundred and sixty thousand copies for the use of the House of Representatives, and thirty thousand copies for the use of the Department of Agriculture, the illustrations for the same to be executed under the supervision of the Public Printer, in accordance with directions of the Joint Committee on Printing, said illustrations to be subject to the approval of the Secretary of Agriculture; and the title of each of the said parts shall be such as to show that such part is complete in itself: *Provided*, That one edition of seventy-five thousand copies of the Special Report on Diseases of the Horse be printed, of which fifty thousand copies shall be for the use of the House of Representatives, and twenty-five thousand copies for the use of the Senate.

Of the Report of the Bureau of Animal Industry, thirty thousand copies, of which seven thousand shall be for the Senate, fourteen thousand for the House, and nine thousand for distribution by the Agricultural Department.

Of the Annual Report of the Chief of the Weather Bureau, four thousand copies; one thousand copies for the Senate, two thousand copies for the House, and one thousand copies for the Bureau,

Of the Ephemeris and Nautical Almanac and of the papers supplementary thereto, one thousand five hundred copies; one hundred copies for the Senate, four hundred for the House, and one thousand for distribution or sale by the Navy Department. The five hundred copies printed for Congress and the usual number shall be for the calendar year next following, and those for the Navy Department for the third year following. The Secretary of the Navy is also authorized to cause additional copies of the Ephemeris, and of the Nautical Almanacs extracted therefrom, to be printed for the public service and for sale to navigators and others: *Provided*, That all moneys received from sales of the Ephemeris and of the Nautical Almanacs shall be deposited in the Treasury and placed to the credit of the general fund for public printing.

Of the observations of the Naval Observatory, one thousand eight hundred copies; three hundred for the Senate, seven hundred for the House, and eight hundred for distribution by the Naval Observatory; and of the astronomical appendixes to the above observations, one thousand two hundred separate copies, and of the meteorological and magnetic observations, one thousand separate copies for distribution by the Naval Observatory.

Of the Report of the Superintendent of the Coast and Geodetic Survey, one thousand five hundred copies of part one; two hundred copies for the Senate, six hundred copies for the House, and seven hundred copies for distribution by the Superintendent of the Coast and Geodetic Survey, and two thousand eight hundred copies of part two; two hundred for the Senate, six hundred for the House, and two thousand for distribution by the Superintendent of the Coast and Geodetic Survey.

Of Commercial Relations, and of Foreign Relations, three

thousand copies of each; one thousand for the Senate and two thousand for the House.

Of the report of the Bureau of Ethnology, uniform with the preceding volumes of the series, eight thousand copies; one thousand five hundred for the Senate, three thousand for the House, and three thousand five hundred for distribution by the Bureau of Ethnology.

Of the Report of the Commissioner of Fish and Fisheries, eight thousand copies; two thousand for the Senate, four thousand for the House, and two thousand for distribution by the Fish Commission.

Of the Bulletins of the Fish Commission, five thousand copies; one thousand for the Senate, two thousand for the House, and two thousand for distribution by the Commission.

Of the Report of the Health Officer of the District of Columbia, one thousand five hundred copies; one hundred for the Senate, three hundred and sixty for the House, and one thousand and forty for distribution by the health officer.

Of the Report of the Civil Service Commission, twenty-three thousand copies; one thousand for the Senate, two thousand for the House, and twenty thousand for distribution by the Civil Service Commission.

Of the Report of the Commissioner of Education, thirty-five thousand copies; five thousand for the Senate, ten thousand for the House, and twenty thousand for distribution by the Commissioner of Education.

Of the Report of the Geological Survey, uniform with the preceding reports, ten thousand copies; two thousand for the Senate, four thousand for the House, and four thousand for distribution by the Geological Survey.

Of the Report of the Commissioner of Labor, twenty-five thousand copies; five thousand for the Senate, ten thousand for the House, and ten thousand for distribution by the Commissioner of Labor.

Of the Annual Report of the Interstate Commerce Commission, three thousand copies; one thousand for the Senate, two thousand for the House, and for the use of the Commission there may be printed such number of said report and other documents incident to interstate commerce for distribution by them as they may deem expedient.

The Secretary of State shall cause to be printed and bound at the Government Printing Office as many volumes of the Revised Statutes of the United States, and the Supplement to the Revised Statutes of the United States, volume one, second edition, 1874–1891, authorized under the act of April 9, 1890, as may be needed for distribution to designated depositories, State and Territorial libraries, and to United States courts not already supplied, and for sale by his office at the cost thereof.

The Secretary of State shall cause to be edited, printed, published, and distributed pamphlet copies of the statutes of the present and each future session of Congress to the officers and persons hereinafter provided for; said distribution shall be made at the close of every session of Congress, as follows:

To the President and Vice-President of the United States, two copies each; to each Senator, Representative and Delegate in Congress, one copy; to the Librarian of the Senate, for the use of Senators, one hundred copies; to the Librarian of the House, two hundred copies, for the use of Representatives and Delegates; to the Library of Congress, fourteen copies; to the Department of State, including those for the use of legations

and consulates, six hundred copies; to the Treasury Department, three hundred copies; to the War Department, two hundred copies; to the Navy Department, one hundred copies; to the Department of the Interior, including those for the use of surveyors-general and registers and receivers of public land offices, two hundred and fifty copies; to the Post-Office Department, fifty copies; to the Interstate Commerce Commission, ten copies; to the Department of Labor, five copies; to the Civil Service Commission, three copies; to the Department of Justice, including those for the use of the Chief Justice and associate justices of the Supreme Court and the judges and officers of the United States and Territorial courts, five hundred copies; to the Department of Agriculture, fifty copies; to the Smithsonian Institution, five copies; to the Government Printing Office, two copies; to the governors and secretaries of Territories, one copy each.

The Secretary of State is authorized to have printed as many additional copies of the pamphlet laws as he may deem needful for distribution and sale by him, at cost price, not exceeding one thousand copies of the laws of any one session in any one year.

The Public Printer shall deliver to the folding rooms of the Senate and House of Representatives seven thousand copies of the pamphlet laws, two thousand copies of which shall be for the Senate and five thousand copies for the House, and to the Superintendent of Documents five hundred copies, for distribution to State and Territorial libraries and to designated depositories.

After the close of each Congress the Secretary of State shall have edited, printed, and bound a sufficient number of the

volumes containing the Statutes at Large enacted by that Congress to enable him to distribute copies, or as many thereof as may be needed, as follows:

To the President of the United States, four copies, one of which shall be for the library of the Executive Mansion; to the Vice-President of the United States, one copy; to each Senator, Representative, and Delegate in Congress, one copy; to the Librarian of the Senate, for the use of Senators, one hundred copies; to the Librarian of the House, for the use of Representatives and Delegates, two hundred copies; to the Library of Congress, fourteen copies, including four copies for the Law Library; to the Department of State, including those for the use of legations and consulates, three hundred and eighty copies; to the Treasury Department, including those for the use of officers of customs, three hundred copies; to the War Department, seventy-five copies; to the Navy Department, seventy-five copies; to the Department of the Interior, including those for the use of surveyors-general and registers and receivers of public land offices, two hundred and fifty copies; to the Post-Office Department, fifty copies; to the Interstate Commerce Commission, ten copies; to the Department of Labor, five copies; to the Civil Service Commission, three copies; to the Department of Justice, including those for the use of the Chief Justice and associate justices of the Supreme Court, and the judges and the officers of the United States and Territorial courts and to State supreme court libraries, five hundred copies; to the Department of Agriculture, fifty copies; to the Smithsonian Institution, two copies; to the Government Printing Office, one copy, and the Public Printer shall deliver five hundred copies of the Statutes at

Large to the Superintendent of Documents for distribution to State and Territorial libraries and to designated depositories. And the Secretary of State is authorized to have as many additional copies printed and bound as may in his opinion be needed for distribution and sale at cost thereof, not exceeding in any one year one thousand copies of the laws of any one Congress.

The pamphlet copies of the statutes and the bound copies of the acts of each Congress shall be legal evidence of the laws and treaties therein contained in all the courts of the United States and of the several States therein. The said pamphlet and the Statutes at Large shall contain all laws, joint and concurrent resolutions passed by Congress, and also all conventions, treaties, proclamations, and agreements.

The message of the President without the accompanying documents and reports shall be printed, immediately upon its receipt by Congress, in pamphlet form. Fifteen thousand shall be printed, of which five thousand shall be for the Senate and ten thousand for the House.

Of the President's Message and accompanying documents and of the annual reports of the Departments to Congress there shall be printed one thousand copies for the Senate and two thousand for the House: *Provided*, That of the reports of the Chief of Engineers of the Army, the Commissioner of Patents, the Commissioner of Internal Revenue, the report of the Chief Signal Officer of the War Department, and of the Chief of Ordnance, the usual number only shall be printed.

The following reports required by law to be made to Congress shall not be printed unless the printing be recommended by the head of the Department making the same and ordered by con-

current resolution of Congress, namely: Report of contracts for conveying the mails, report of fines and deductions in the Post-Office Department, the report of the Treasurer of accounts by him from time to time rendered to and settled with the First Comptroller, and the report of the proceedings of the annual meetings of the Board of Supervising Inspectors of Steam Vessels.

Of the Report of the National Academy of Sciences, two thousand copies; five hundred for the Senate, one thousand for the House, and five hundred for distribution by the Academy of Sciences.

Of the Memoirs of the National Academy of Sciences, two thousand five hundred copies; five hundred for the Senate, one thousand for the House, and one thousand for distribution by the Academy of Sciences.

Of the report of the American Historical Association, three thousand copies; five hundred for the Senate, one thousand for the House, and one thousand five hundred for distribution by the association and the Smithsonian Institution.

Of the Registers of the Army and Navy, fifteen hundred copies of each; five hundred for the Senate and one thousand for the House.

Of the Report of the Smithsonian Institution, ten thousand copies; one thousand for the Senate, two thousand for the House, five thousand for distribution by the Smithsonian Institution, and two thousand for distribution by the National Museum.

Of the Reports of Consular Officers, one thousand five hundred copies; five hundred for the Senate, one thousand for the House.

Of the Statistical Abstract of the United States, twelve thousand copies; three thousand for the Senate, six thousand for the House, and three thousand for distribution by the Bureau of Statistics.

Of the Tests of Iron and Steel, five hundred copies for distribution by the War Department.

Of the Finance Report of the Secretary of the Treasury, the Report on Commerce and Navigation, on Internal Commerce, of the Director of the Mint on the Production of Precious Metals, and of Mineral Resources of the United States, there shall be printed one thousand copies of each for the Senate and two thousand for the House in addition to those published as part of the departmental report.

Of the Annual Report of the Comptroller of the Currency, ten thousand copies; one thousand for the Senate, two thousand for the House, and seven thousand for distribution by the Comptroller of the Currency.

Of the Annual Report of the Commissioner of Navigation of the Treasury Department, one thousand copies for the Senate, two thousand for the House, and one thousand copies for distribution by the Commissioner; and of the Annual List of Merchant Vessels of the United States, five thousand copies for distribution by the Treasury Department.

Of the Report of the Government Directors of the Union Pacific Railways, one thousand five hundred copies; five hundred for the Senate and one thousand for the House.

There shall be printed of eulogies of deceased Senators, Representatives, and Delegates eight thousand copies, of which number fifty copies, bound in full morocco, with gilt edges, shall be delivered to the family of the deceased, and one thou-

sand nine hundred and fifty copies in cloth binding shall be delivered to the Senators, Representatives, or Delegates of the State or Territory represented by the deceased. The remaining number, also in cloth binding, shall be distributed in the proportion of two thousand to the Senate and four thousand to the House. The engraving for such eulogies shall be done at the Bureau of Engraving and Printing and paid for out of the appropriation for that Bureau. Of the "usual number" the bound volume shall contain in one volume for each House all eulogies during the session of Congress upon Senators and Representatives, respectively.

Of the Senate Manual and of the Digest and Manual of the House of Representatives, each House shall print as many copies as it shall desire, even though the cost exceed five hundred dollars.

There shall be prepared under the direction of the Joint Committee on Printing a Congressional Directory, of which there shall be three editions during each long session and two editions during each short session of Congress. The first edition shall be distributed to Senators, Representatives, Delegates, the principal officers of Congress, and heads of Departments on the first day of the session, and shall be ready for distribution to others within one week thereafter. The number and distribution of such Directory shall be under the control of the Joint Committee on Printing. Official correspondence concerning the Directory may be had in penalty envelopes, under the direction of the Joint Committee.

The Joint Committee on Printing shall appoint a competent person, who shall edit such portion of the reports and documents accompanying the annual message of the President or

made directly to Congress as they may deem suitable for popular distribution, and prepare an alphabetical index thereto. The Public Printer shall furnish to the person so designated copies of all the said reports and documents as soon as printed; and the abridgement of the message and documents shall be prepared for the printer by the first day of January, or as soon thereafter as practicable, of each year, and shall be printed by the Public Printer as soon as copy is furnished him. There shall be printed of such abridgement twelve thousand copies, of which four thousand shall be for the Senate and eight thousand for the House.

The Public Printer shall furnish the Congressional Record as follows, and shall furnish gratuitously no others in addition thereto:

To the Vice-President and each Senator, forty-four copies; and to the Secretary and Sergeant-at-Arms of the Senate, each twenty copies, and to the Secretary for office use, ten copies; to each Representative and Delegate, thirty copies, of which number eight copies shall be sent by the Superintendent of Documents one each to such public or school libraries other than designated depositories as shall be designated for this purpose by each Representative and Delegate in Congress; and to the Clerk and Doorkeeper of the House, each twenty copies, and to the Clerk for office use ten copies; to be supplied daily as originally published or in the revised and permanent form, bound only in half russia, or part in each form, as each may elect.

To the Vice-President and each Senator, Representative, and Delegate there shall be furnished two copies of the daily Record, one to be delivered at his residence and one at the Capitol.

To the President, for use of the Executive Office, four copies of the daily and one bound copy.

To the Chief Justice and each of the associate justices of the Supreme Court of the United States, the marshal and clerk of the said court, one daily and one bound copy.

To the governor of each State and Territory, one copy of the daily and one bound copy of the Record.

To the Official Reporter of the Senate and each of his assistant reporters, and to the official reporters of the House, each two copies of the daily and one copy of the bound Record.

To the superintendents of the Senate and House document rooms, each one copy of the daily and one bound copy.

To the Library of Congress, forty-five bound copies.

To the Senate and House Libraries, ten bound copies to each.

To the library of each of the eight Executive Departments, and to the Naval Observatory, Smithsonian Institution, and the United States National Museum, one bound copy.

To the Soldiers' Home, and to each of the National Homes for Disabled Volunteer Soldiers, and to each of the State soldiers' homes established for either Federal or Confederate soldiers, one copy of the daily.

To the Superintendent of Documents, five hundred bound copies for distribution to depositories of public documents.

To each of our legations abroad, one copy of the daily Record, to be sent through the Secretary of State.

To each foreign legation in Washington whose Government extends a like courtesy to our legations abroad, one copy of the daily Record, to be sent through the Secretary of State and furnished upon his requisition.

The Public Printer is authorized to furnish to subscribers the daily Record at eight dollars for the long and four dollars for

the short session, or one dollar and fifty cents per month, payable in advance. The "usual number" of the Congressional Record shall not be printed. The daily and the permanent Record shall bear the same date, which shall be of the actual day's proceedings reported therein.

The Secretary of War is hereby authorized and directed to furnish a complete set of the Official Records of the Union and Confederate armies to each Senator and member of the present Congress not already entitled by law to receive the same; and he is further authorized to use for this purpose such incomplete sets, not including any to the credit of Senators, as remain on hand uncalled for by beneficiaries designated to receive them under the authority contained in the acts approved August 7, 1882, and March 10, 1888; and the Secretary of War will call upon the Public Printer to print and bind such volumes or parts of volumes as will enable him to fill out the incomplete sets hereinbefore referred to.

The Secretary of the Interior shall cause the Official Register to be edited, indexed, and published by the chief clerk of the Interior Department, on the first day of December following the first day of July above mentioned.

Of the Official Register three thousand copies shall be printed and bound, which shall be distributed as follows: To the President of the United States, four copies, one copy of which shall be for the library of the Executive Mansion; to the Vice-President of the United States, two copies; to each Senator, Representative, and Delegate in Congress, one copy; to the Secretary and Sergeant-at-Arms of the Senate, to the Clerk and Sergeant-at-Arms of the House, one copy each; to the Library of the Senate, ten copies; to the Library of the House

of Representatives, ten copies; to the Library of Congress, twenty-five copies; to the Department of State, one hundred copies; to the Treasury Department, one hundred and fifty copies; to the War Department, fifty copies; to the Navy Department, twenty copies; to the Department of Justice, twenty copies; to the Department of the Interior, two hundred copies; to the Post-Office Department, one hundred copies; to the Department of Agriculture, fifteen copies; to the Smithsonian Institution, four copies; to the Department of Labor, four copies; to the Government Printing Office, four copies; to the Interstate Commerce Commission, two copies; to the Civil Service Commission, four copies; to the Commissioners of the District of Columbia, two copies; to the Commissioner of Fish and Fisheries, two copies; and the remaining copies shall be delivered to the Superintendent of Documents, who is hereby authorized to send one copy to each designated depository and to such public college or school library not a depository of public documents, and one copy to such other person as shall be designated by each Senator, Representative, and Delegate in Congress, and shall hold the remainder for sale under the provisions of this law. The usual number of the Official Register shall not be printed.

The Commissioner of Patents, upon the requisition of the Secretary of the Interior, is authorized to continue the printing of the following:

Third. The Official Gazette of the United States Patent Office in numbers sufficient to supply all who shall subscribe therefor at five dollars per annum; also to exchange for other scientific publications desirable for the use of the Patent Office; also to supply one copy to each Senator, Representative, and Delegate

in Congress; also to supply one copy to eight such public libraries having over one thousand volumes, exclusive of Government publications, as shall be designated by each Senator, Representative, and Delegate in Congress, with one hundred additional copies, together with bimonthly and annual indexes for all the same; of the Official Gazette the usual number shall not be printed.

All printing for the Patent Office making use of lithography or photolithography, together with the plates for the same, shall be contracted for and performed under the direction of the Commissioner of Patents, under such limitations and conditions as the Joint Committee on Printing may from time to time prescribe, and all other printing for the Patent Office shall be done by the Public Printer under such limitations and conditions as the Joint Committee on Printing may from time to time prescribe: *Provided*, That the entire work may be done at the Government Printing Office whenever in the judgment of the Joint Committee on Printing the same would be to the interest of the Government.

No report, document, or publication of any kind distributed by or from an Executive Department or bureau of the Government shall contain any notice that the same is sent with "the compliments" of an officer of the Government, or with any special notice that it is so sent, except that notice that it has been sent, with a request for an acknowledgment of its receipt, may be given.

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SEC. 76. The charts published by the Coast and Geodetic Survey shall be sold at cost of paper and printing as nearly as practicable; and there shall be no free distribution of such charts

except to the Departments and officers of the United States requiring them for public use; and a number of copies of each sheet, not to exceed three hundred, to be presented to such foreign Governments, libraries, and scientific associations, and institutions of learning as the Secretary of the Treasury may direct; but on the order of Senators, Representatives, and Delegates not to exceed ten copies to each may be distributed through the Superintendent of the Coast and Geodetic Survey.

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SEC. 79. The scientific reports known as the Monographs and Bulletins of the Geological Survey shall not be published until specific and detailed estimates are made therefor and specific appropriations made in pursuance of such estimates; and no engravings for the annual reports for such monographs and bulletins, or of illustrations, sections, and maps, shall be done until specific estimates are submitted therefor and specific appropriations made based on such estimates. And there shall be distributed of monographs, bulletins, and reports of the United States Geological Survey now in possession of said Survey, being publications prior to the year eighteen hundred and ninety-four, one copy of every such publication to every public library which shall be designated to the superintendent of documents, as follows: Two public libraries to be designated by each of the Senators from the States, respectively; two public libraries by the Representative in Congress from each Congressional district, and two public libraries by the Delegate from each Territory; such public libraries to be additional to those to which the said publications are distributed under existing law.

The executive and miscellaneous documents and the reports of each House of Congress shall be designated as "House

Documents," "Senate Documents," "House Reports, "Senate Reports," thus making two classes for each House, and each volume shall receive the title suggested by its subject-matter clearly placed upon its back.

* * * * *

SEC. 82. The Public Printer shall bind four sets of Senate and House of Representatives bills, joint and concurrent resolutions of each Congress, two for the Senate and two for the House, to be furnished him from the files of the Senate and House document room, the volumes when bound to be kept there for reference.

SEC. 83. The Secretary of the Senate and Clerk of the House shall procure and file for the use of their respective Houses copies of all reports made by committees, and they are hereby directed at the close of each session of Congress to cause such reports to be indexed and bound, one copy to be deposited in the library of each House and one copy in the room of the committee from which the reports emanate.

* * * * *

SEC. 85. The Vice-President, Senators, Representatives, and Delegates in Congress, the Secretary of the Senate, and Clerk of the House of Representatives may send and receive through the mail all public documents printed by order of Congress; and the name of the Vice-President, Senator, Representative, Delegate, Secretary of the Senate, and Clerk of the House shall be written thereon, with the proper designation of the office he holds; and the provisions of this section shall apply to each of the persons named therein until the first day of December following the expiration of their respective terms of office.

The Vice-President, Members and Members elect of and Delegates and Delegates elect to Congress shall have the privilege of sending free through the mails, and under their frank, any mail matter to any Government official, or to any person correspondence, not exceeding one ounce in weight, upon official or departmental business.

* * * * *

SEC. 87. All printing, binding, and blank books for the Senate or House of Representatives and for the Executive and Judicial Departments shall be done at the Government Printing Office, except in cases otherwise provided by law.

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SEC. 91. The annual reports of executive officers shall be printed in the same type and form as the report of the head of the Department which it accompanies, unless otherwise ordered by the Joint Committee on Printing.

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SEC. 98. The libraries of the eight Executive Departments, of the United States Military Academy, and United States Naval Academy are hereby constituted designated depositories of Government publications, and the Superintendent of Documents shall supply one copy of said publications, in the same form as supplied to other depositories, to each of said libraries.

SEC. 99. All future orders or requisitions for printing or binding shall be governed by the provisions of this act; and all printing, binding, and other work incident to stationery or blank books required for the Senate and House of Representatives, or the committees and officers thereof, except such sta-

tionery and blank books as may be purchased by the officers of the Senate and House of Representatives for sale to members in the stationery rooms of the two Houses, together with the material necessary to such work, shall be furnished by the Public Printer on requisition of the Secretary of the Senate and the Clerk of the House of Representatives, respectively: *Provided*, That each Senator and Representative shall be entitled to the binding in half morocco, or material no more expensive, of but one copy of each public document to which he may be entitled, an account of which, with each Senator and Representative, shall be kept by the Secretary and Clerk, respectively: *And provided further*, That in printing preliminary reports and other papers for the use of committees, no more than fifty copies shall be ordered unless expressly authorized by the Committee on Printing of each House, respectively. No Government publications shall be delivered to officers and employees of Congress except for the use of members thereof, unless authorized by this act or upon requisition approved by the Joint Committee on Printing.

SEC. 100. All laws in conflict with the provisions of this act are hereby repealed. [28 Stats., p. 601.

That nothing in the second provision of section ninety-nine of the act providing for the public printing and binding and the distribution of public documents, approved January 12, 1895, shall be held to contravene the orders of either House of Congress authorizing printing for the use of committees, as to the number of copies or otherwise: *Provided*, That there shall not be printed, under such orders, for the use of any committee, any hearing or other document costing in excess of five hundred dollars. [28 Stats., p. 961.

DISTRIBUTION OF "USUAL NUMBER" DOCUMENTS.

UNBOUND DOCUMENTS.

Where delivered.	Senate.				House.				Laws, treaties, and conventions.		
	Documents and reports.	Public bills and resolutions.	Private bills.	Journal.	Documents and reports.	Public bills and resolutions.	Private bills.	Journal.	Public laws.	Private laws.	Treaties and conventions.
Senate document room	220	225	135	....	150	225	135	....	550	100	100
Office of Secretary of the Senate	10	15	15	25	10	15	15	....	.....	.....	.....
House document room	360	385	100	...	420	385	100	....	1,000	100	100
Office of the Clerk of the House	10	.....	.....	....	20	.....	.....	25	.....	.....	.....
Department of State	.....	.....	.....	....	.....	.....	.....	....	500	500	500
Treasury Department	.....	.....	.....	....	.....	.....	.....	....	60	60	60
Retained by the Public Printer to be bound on order	500	.....	.....	....	500	.....	.....	....	.....	.....	.....
Total	1,100	625	250	25	1,100	625	250	25	2,110	760	760

BOUND COPIES.

Where delivered.	Senate.		House.	
	Documents and reports.	Journal.	Documents and reports.	Journal.
Senate Library	15	10	15	10
Library of Congress	52	25	52	25
House Library	15	10	15	10
Superintendent of Public Documents for distribution	500	144	500	144
Senators	.....	90	.....	90
Senate document room	.....	25	.....	25
Distribution to members of Congress	.....	360	.....	360
House document room	.....	25	.....	25
Department of State	.....	4	.....	4
Court of Claims	.....	2	.....	2
Total	582	695	582	695

DISTRIBUTION OF DOCUMENTS AUTHORIZED TO BE PRINTED.

Name of document.	Whole number.	Number of copies to Senate.	Number of copies to House.	Disposition of remainder.
Comprensive Index of Public Documents.	2,000	200	800	1,000 for Superintendent of Documents.
Consolidated Index of Congressional Documents.	2,000	200	800	1,000 for Superintendent of Documents.
Monthly Catalogue of Government Publications.	2,000	.....	.....	2,000 for Superintendent of Documents.
Agricultural Report, part 1—Administrative.	6,000	1,000	2,000	3,000 for Department of Agriculture.
Agricultural Report, part 2—Yearbook.	500,000	110,000	360,000	30,000 for Department of Agriculture.
Report of the Bureau of Animal Industry.	30,000	7,000	14,000	9,000 for Department of Agriculture.
Annual Report of the Chief of the Weather Bureau.	4,000	1,000	2,000	1,000 for Weather Bureau.
Ephemeris and Nautical Almanac.	1,500	100	400	1,000 for distribution and sale by Navy Department.
Observations of the Naval Observatory.	1,800	300	700	800 for the Naval Observatory.
Report of Superintendent of Coast and Geodetic Survey, Part I.	1,500	200	600	700 for the Coast and Geodetic Survey.
Report of Superintendent of Coast and Geodetic Survey, Part II.	2,800	200	600	2,000 for the Coast and Geodetic Survey.
Commercial Relations.....	3,000	1,000	2,000	
Foreign Relations.....	3,000	1,000	2,000	
Report of the Bureau of Ethnology.	8,000	1,500	3,000	3,500 for the Bureau of Ethnology.
Report of the Commissioner of Fish and Fisheries.	8,000	2,000	4,000	2,000 for the Fish Commission.
Bulletins of the Fish Commission.	5,000	1,000	2,000	2,000 for the Fish Commission.
Report of the Health Officer of District of Columbia.	1,500	100	360	1,040 for distribution by the Health Officer.
Report of the Civil Service Commission.	23,000	1,000	2,000	20,000 for the Civil Service Commission.
Report of the Commissioner of Education.	35,000	5,000	10,000	20 000 for the Bureau of Education.
Report of the Geological Survey.	10,000	2,000	4,000	4,000 for the Geological Survey.
Report of the Commissioner of Labor.	25,000	5,000	10,000	10,000 for the Bureau of Labor.
Annual Report of the Interstate Commerce Commission.	3,000	1,000	2,000	
Session Laws.....	7,500	2,000	5,000	500 to Superintendent of Documents.
Annual Message of the President (without accompanying documents).	15,000	5,000	10,000	

DISTRIBUTION OF DOCUMENTS AUTHORIZED TO BE PRINTED—Continued.

Name of document.	Whole number.	Number of copies to Senate.	Number of copies to House.	Disposition of remainder.
President's Message and accompanying documents.	5,000	2,000	2,000	
Annual reports of the Departments.	5,000	2,000	2,000	
Report of the National Academy of Sciences.	2,000	500	1,000	500 for the Academy of Sciences.
Memoirs of the National Academy of Science.	2,500	500	1,000	1,000 for the Academy of Science.
Report of the American Historical Association.	3,000	500	1,000	1,500 for the association and Smithsonian Institution.
Army Register	2,500	500	1,000	
Navy Register	2,500	500	1,000	
Report of the Smithsonian Institution.	10,000	2,000	2,000	5,000 for the Smithsonian Institution and 2,000 for the National Museum.
Consular Reports	2,500	500	1,000	
Statistical Abstract	12,000	3,000	6,000	3,000 for the Bureau of Statistics.
Finance Report	3,000	1,000	2,000	
Report on Commerce and Navigation.	3,000	1,000	2,000	
Report on Internal Commerce.	3,000	1,000	2,000	
Report on the Production of Precious Metals.	3,000	1,000	2,000	
Report on Mineral Resources of the United States.	3,000	1,000	2,000	
Report of the Comptroller of the Currency.	10,000	1,000	2,000	7,000 for distribution by the Comptroller of the Currency.
Report of the Commissioner of Navigation.	4,000	1,000	2,000	1,000 for distribution by the Commissioner.
Report of the Government Directors of the Union Pacific Railway.	1,500	500	1,000	
Eulogies of deceased Senators, Representatives, and Delegates.	8,000	2,000	4,000	50 to the family of the deceased and 1,950 to Senators, Representatives, or Delegates of the State or Territory represented by the deceased.
Senate Manual				[Number governed by resolution of the Senate.]
Digest and Manual of the House of Representatives.				[Number governed by resolution of the House of Representatives.]
Congressional Directory				[Number under control of Joint Committee on Printing.]
Abridgment of messages and Documents.	12,000	4,000	8,000	

DISTRIBUTION OF DOCUMENTS AUTHORIZED TO BE PRINTED—Continued.

Name of document.	Whole number.	Number of copies to Senate.	Number of copies to House.	Disposition of remainder.
Congressional Record.....	.....	.....	.....	[46 copies to each Senator and 32 copies to each Representative and Delegate.]
Charts published by the Coast and Geodetic Survey.	.....	.....	.....	[Senators, Represenatives, and Delegates may distribute through the Superintendent of the Coast and Geodetic Survey not more than 10 charts.]

[28 Stats., p. 601.

DUTIES IMPOSED BY LAW ON THE JOINT COMMITTEE ON THE LIBRARY.

There shall be a Joint Committee on the Library, to consist of three members on the part of the Senate and three on the part of the House of Representatives, to superintend and direct the expenditure of all moneys appropriated for the Library, and to perform such other duties as are or may be directed by law.* [Former Joint Rule, 20.

That the portion of the Joint Committee of Congress upon the Library on the part of the Senate remaining in office as Senators shall, during the recess of Congress, exercise the powers and discharge the duties conferred by law upon the Joint Committee of Congress upon the Library.

[Stat. at L., vol. 22, p. 592

*The Joint Committee on the Library was created by a joint rule December 11, 1843, and continued under such rule until the passage of the Senate resolution of August 14, 1876, declaring that there were no joint rules in force. A Committee on the Library is now authorized and appointed under the standing rules of each House, and empowered to act jointly with the like committee of the other House.

The unexpended balance of any sums appropriated by Congress for the increase of the general library, together with such sums as may hereafter be appropriated to the same purpose, shall be laid out under the direction of a Joint Committee of Congress upon the Library, to consist of three members of the Senate and three members of the House of Representatives.

[R. S., sec. 82.

The Joint Committee upon the Library is authorized to establish regulations, not inconsistent with law, in relation to the Library of Congress or either department thereof; and from time to time to alter, amend, or repeal the same; but such regulations as to the law library shall be subject to those imposed by the Justices of the Supreme Court under sec. 95, R. S.

[R. S., sec. 85

The Joint Committee upon the Library may, at any time, exchange or otherwise dispose of duplicate, injured, or wasted books of the Library, or documents or other matter in the Library not deemed proper to it, as they deem best. [R. S., sec. 86.

The Joint Committee upon the Library may, from time to time, appoint such agents as they deem requisite, to carry into effect the donation and exchange of documents and other publications placed at their disposal for the purpose. [R. S., sec. 87.

There shall be a superintendent, assistant, and two additional laborers in the Botanical Garden and greenhouses, who shall be under the direction of the Joint Committee on the Library.

[R. S., sec. 1827.

The Joint Committee on the Library, whenever, in their judgment, it is expedient, are authorized to accept any work of the fine arts on behalf of Congress which may be offered, and to assign the same such place in the Capitol as they may deem

suitable, and shall have the supervision of all works of art that may be placed in the Capitol. [R. S., sec. 1831.

No work of art not the property of the United States shall be exhibited in the Capitol, nor shall any room in the Capitol be used for private studios or works of art, without permission from the Joint Committee on the Library, given in writing; and it shall be the duty of the Architect of the Capitol Extension to carry these provisions into effect. [Stat. at L., vol. 18, p. 376.

The Joint Committee on the Library is authorized to grant the privilege of using and drawing books from the Library in the same manner and subject to the same regulations as members of Congress, to any of the following persons:

First. Heads of Departments.

Second. The Chief Justice and Associate Justices, the reporter, and clerk of the Supreme Court.

Third. Members of the diplomatic corps.

Fourth. The judges and the clerk of the Court of Claims.

Fifth. The Solicitor-General and Assistant Attorney-General.

Sixth. The Secretary of the Senate.

Seventh. The Clerk of the House of Representatives.

Eighth. The Chaplains of the two Houses of Congress.

Ninth. The Solicitor of the Treasury.

Tenth. The financial agent of the Joint Committee on the Library.

Eleventh. The Smithsonian Institution, through its Secretary.

Twelfth. Any person, when in the District of Columbia, who has been President. [R. S., sec. 94.

And also the Regents of the Smithsonian Institution resident in Washington. [Stat. at L., vol. 18, p. 512.

DUTIES IMPOSED BY LAW ON THE COMMITTEE TO AUDIT AND CONTROL THE CONTINGENT EXPENSES OF THE SENATE.

All improvements, alterations, additions, and repairs of the Capitol building shall hereafter be made by the direction and under the supervision of the Architect of the Capitol Extension, and the same shall be paid for by the Secretary of the Interior out of the appropriations for such extension and from no other appropriation; and no furniture or carpets for either House shall hereafter be purchased without the written order of the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate, for the Senate, or without the written order of the chairman of the Committee on Accounts of the House of Representatives, for the House. [R. S., sec. 1816.

Hereafter no payment shall be made from the contingent fund of the Senate unless sanctioned by the Committee to Audit and Control the Contingent Expenses of the Senate, or from the contingent fund of the House of Representatives unless sanctioned by the Committee on Accounts of the House of Representatives. And hereafter payments made upon vouchers approved by the aforesaid respective committees shall be deemed, held, and taken, and are hereby declared to be conclusive upon all the Departments and officers of the Government: *Provided*, That no payment shall be made from said contingent funds as additional salary or compensation to any officer or employee of the Senate or House of Representatives. [25 Stats., p. 546.

DUTIES IMPOSED BY LAW ON THE COMMITTEE ON RULES OF THE SENATE.

[PURCHASE OF THE MALTBY HOUSE.]

[The "Maltby House," or Senate Annex, corner of New Jersey avenue and B street northwest, is placed under control of the Senate Committee on Rules.] [26 Stats., p. 951.

And all engineers and others who are engaged in heating and ventilating the Senate wing of the Capitol shall be subject to the orders and in all respects under the direction of the Architect of the Capitol, subject to the approval of the Senate Committee on Rules. [25 Stats., p. 258.

AN ACT TO FIX THE DAY FOR THE MEETING OF THE ELECTORS OF PRESIDENT AND VICE-PRESIDENT, AND TO PROVIDE FOR AND REGULATE THE COUNTING OF THE VOTES FOR PRESIDENT AND VICE-PRESIDENT, AND THE DECISION OF QUESTIONS ARISING THEREON.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the electors of each State shall meet and give their votes on the second Monday in January next following their appointment, at such place in each State as the legislature of such State shall direct.

SEC. 2. That if any State shall have provided, by laws enacted prior to the day fixed for the appointment of the electors, for its final determination of any controversy or contest concerning the appointment of all or any of the electors of such State, by judicial or other methods or procedure, and such determination shall have been made at least six days before the time fixed for the meeting of the electors, such determination made pursuant to such law so existing on said day, and made at least six days prior to the said time of meeting of the electors, shall be conclusive, and shall govern in the counting of the electoral votes as provided in the Constitution, and as hereinafter regulated, so far as the ascertainment of the electors appointed by such State is concerned.

SEC. 3. That it shall be the duty of the executive of each State, as soon as practicable after the conclusion of the appoint-

ment of electors in such State, by the final ascertainment under and in pursuance of the laws of such State providing for such ascertainment, to communicate, under the seal of the State, to the Secretary of State of the United States, a certificate of such ascertainment of the electors appointed, setting forth the names of such electors and the canvass or other ascertainment under the laws of such State of the number of votes given or cast for each person for whose appointment any and all votes have been given or cast; and it shall also thereupon be the duty of the executive of each State to deliver to the electors of such State, on or before the day on which they are required by the preceding section to meet, the same certificate, in triplicate, under the seal of the State; and such certificate shall be inclosed and transmitted by the electors at the same time and in the same manner as is provided by law for transmitting by such electors to the seat of government the lists of all persons voted for as President and of all persons voted for as Vice-President; and section one hundred and thirty-six of the Revised Statutes is hereby repealed; and if there shall have been any final determination in a State of a controversy or contest as provided for in section two of this act, it shall be the duty of the executive of such State, as soon as practicable after such determination, to communicate, under the seal of the State, to the Secretary of State of the United States, a certificate of such determination in form and manner as the same shall have been made; and the Secretary of State of the United States, as soon as practicable after the receipt at the State Department of each of the certificates hereinbefore directed to be transmitted to the Secretary of State, shall publish, in such public newspaper as he shall designate, such certificates in full; and at the first meeting of Congress thereafter he shall transmit to the two Houses of Congress copies in

full of each and every such certificate so received theretofore at the State Department.

SEC. 4. That Congress shall be in session on the second Wednesday in February succeeding every meeting of the electors. The Senate and House of Representatives shall meet in the Hall of the House of Representatives at the hour of 1 o'clock in the afternoon on that day, and the President of the Senate shall be their presiding officer. Two tellers shall be previously appointed on the part of the Senate and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules in this act provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice-President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses. Upon such reading of any such certificate or paper, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one member of the House of Representatives before

the same shall be received. When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision; and no electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to according to section three of this act from which but one return has been received shall be rejected, but the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified. If more than one return or paper purporting to be a return from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which shall have been regularly given by the electors who are shown by the determination mentioned in section two of this act to have been appointed, if the determination in said section provided for shall have been made, or by such successors or substitutes, in case of a vacancy in the board of electors so ascertained, as have been appointed to fill such vacancy in the mode provided by the laws of the State; but in case there shall arise the question which of two or more of such State authorities determining what electors have been appointed, as mentioned in section two of this act, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, of such State shall be counted whose title as electors the two Houses, acting separately, shall concurrently decide is supported by the decision of such State so authorized by its laws; and in such

case of more than one return or paper purporting to be a return from a State, if there shall have been no such determination of the question in the State aforesaid, then those votes, and those only, shall be counted which the two Houses shall concurrently decide were cast by lawful electors appointed in accordance with the laws of the State, unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State. But if the two Houses shall disagree in respect of the counting of such votes, then, and in that case, the votes of the electors whose appointment shall have been certified by the executive of the State, under the seal thereof, shall be counted. When the two Houses have voted, they shall immediately again meet, and the presiding officer shall then announce the decision of the questions submitted. No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of.

SEC. 5. That while the two Houses shall be in meeting, as provided in this act, the President of the Senate shall have power to preserve order; and no debate shall be allowed and no question shall be put by the presiding officer except to either House on a motion to withdraw.

SEC. 6. That when the two Houses separate to decide upon an objection that may have been made to the counting of any electoral vote or votes from any State, or other question arising in the matter, each Senator and Representative may speak to such objection or question five minutes, and not more than once; but after such debate shall have lasted two hours it shall be the duty of the presiding officer of each House to put the main question without further debate.

SEC. 7. That at such joint meeting of the two Houses seats shall be provided as follows: For the President of the Senate, the Speaker's chair; for the Speaker, immediately upon his left; the Senators, in the body of the Hall upon the right of the presiding officer; for the Representatives, in the body of the Hall not provided for the Senators; for the tellers, Secretary of the Senate, and Clerk of the House of Representatives, at the Clerk's desk; for the other officers of the two Houses, in front of the Clerk's desk and upon each side of the Speaker's platform. Such joint meeting shall not be dissolved until the count of electoral votes shall be completed and the result declared; and no recess shall be taken unless a question shall have arisen in regard to counting any such votes, or otherwise under this act, in which case it shall be competent for either House, acting separately in the manner hereinbefore provided, to direct a recess of such House not beyond the next calendar day, Sunday excepted, at the hour of 10 o'clock in the forenoon. But if the counting of the electoral votes and the declaration of the result shall not have been completed before the fifth calendar day next after such first meeting of the two Houses, no further or other recess shall be taken by either House.

Approved, February 3, 1887.

AN ACT TO PROVIDE FOR THE PERFORMANCE OF THE DUTIES OF THE OFFICE OF PRESIDENT IN CASE OF THE REMOVAL, DEATH, RESIGNATION, OR INABILITY OF BOTH THE PRESIDENT AND VICE-PRESIDENT.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case of removal, death, resignation, or inability of both the President

and Vice-President of the United States, the Secretary of State, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Treasury, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of War, or if there be none, or in case of his removal, death, resignation, or inability, then the Attorney-General, or if there be none, or in case of his removal, death, resignation, or inability, then the Postmaster-General, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Navy, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Interior, shall act as President until the disability of the President or Vice-President is removed or a President shall be elected: *Provided*, That whenever the powers and duties of the office of President of the United States shall devolve upon any of the persons named herein, if Congress be not then in session, or if it would not meet in accordance with law within twenty days thereafter, it shall be the duty of the person upon whom said powers and duties shall devolve to issue a proclamation convening Congress in extraordinary session, giving twenty days' notice of the time of meeting.

SEC. 2. That the preceding section shall only be held to describe and apply to such officers as shall have been appointed by the advice and consent of the Senate to the offices therein named, and such as are eligible to the office of President under the Constitution, and not under impeachment by the House of Representatives of the United States at the time the powers and duties of the office shall devolve upon them respectively.

SEC. 3. That sections one hundred and forty-six, one hundred and forty-seven, one hundred and forty-eight, one hundred

and forty-nine, and one hundred and fifty of the Revised Statutes are hereby repealed.

Approved, January 19, 1886.

PROVISIONS RELATING TO THE TENURE OF CERTAIN CIVIL OFFICES.*

[REVISED STATUTES.]

SEC. 1771. Every person who, contrary to the provisions of the four preceding sections, accepts any appointment to or employment in any office, or holds or exercises or attempts to hold or exercise any such office or employment, shall be deemed guilty of a high misdemeanor, and shall be imprisoned not more than five years, or fined not more than ten thousand dollars, or both.

SEC. 1772. Every removal, appointment, or employment made, had, or exercised contrary to sections seventeen hundred and sixty-seven to seventeen hundred and seventy, inclusive, and the making, signing, sealing, countersigning, or issuing of any commission or letter of authority for or in respect to any such appointment or employment, shall be deemed a high misdemeanor, and every person guilty thereof shall be imprisoned not more than five years, or fined not more than ten thousand dollars, or both.

SEC. 1773. The President is authorized to make out and deliver, after the adjournment of the Senate, commissions for all officers whose appointments have been advised and consented to by the Senate.

SEC. 1774. Whenever the President, without the advice and

*Sections 1767 to 1770, inclusive, repealed by act of March 3, 1887. (24 stat. at L., p. 500.)

consent of the Senate, designates, authorizes, or employs any person to perform the duties of any office, he shall forthwith notify the Secretary of the Treasury thereof; and the Secretary of the Treasury shall thereupon communicate such notice to all the proper accounting and disbursing officers of his Department.

SEC. 1775. The Secretary of the Senate shall, at the close of each session thereof, deliver to the Secretary of the Treasury, and to each of the Assistant Secretaries of the Treasury, and to each of the Auditors, and to each of the Comptrollers in the Treasury, and to the Treasurer, and to the Register of the Treasury, a full and complete list, duly certified, of all persons who have been nominated to and rejected by the Senate during such session, and a like list of all the offices to which nominations have been made and not confirmed and filled at such session.

SEC. 1760. No money shall be paid from the Treasury to any person acting or assuming to act as an officer, civil, military, or naval, as salary, in any office, when the office is not authorized by some previously existing law, unless such office is subsequently sanctioned by law.

SEC. 1761. No money shall be paid from the Treasury, as salary, to any person appointed during the recess of the Senate to fill a vacancy in any existing office, if the vacancy existed while the Senate was in session, and was by law required to be filled by and with the advice and consent of the Senate, until such appointee has been confirmed by the Senate.

SEC. 1762. No money shall be paid or received from the Treasury or paid or received from or retained out of any public moneys or funds of the United States, whether in the Treasury or not, to or by or for the benefit of any person appointed to or

authorized to act in or holding or exercising the duties or functions of any office contrary to sections seventeen hundred and sixty-seven to seventeen hundred and seventy, inclusive; nor shall any claim, account, voucher, order, certificate, warrant, or other instrument providing for or relating to such payment, receipt, or retention, be presented, passed, allowed, approved, certified, or paid by any officer, or by any person exercising the functions or performing the duties of any office or place of trust under the United States, for or in respect to such office, or the exercising or performing the functions or duties thereof. Every person who violates any of the provisions of this section shall be deemed guilty of a high misdemeanor, and shall be imprisoned not more than ten years, or fined not more than ten thousand dollars, or both.

AN ACT TO REGULATE AND IMPROVE THE CIVIL SERVICE OF THE UNITED STATES.

* * * * * * *

SEC. 10. That no recommendation of any person who shall apply for office or place under the provisions of this act which may be given by any Senator or member of the House of Representatives, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any examination or appointment under this act.

SEC. 11. That no Senator, or Representative, or Territorial Delegate of the Congress, or Senator, Representative, or Delegate elect, or any officer or employee of either of said Houses, and no executive, judicial, military, or naval officer of the United States, and no clerk or employee of any Department, branch, or bureau of the executive, judicial, or military or

naval service of the United States, shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any officer, clerk, or employee of the United States, or any Department, branch, or bureau thereof, or from any person receiving any salary or compensation from moneys derived from the Treasury of the United States.

* * * * * * *

SEC. 14. That no officer, clerk, or other person in the service of the United States shall, directly or indirectly, give or hand over to any other officer, clerk, or person in the service of the United States, or to any Senator or member of the House of Representatives, or Territorial Delegate, any money or other valuable thing on account of or to be applied to the promotion of any political object whatever.

SEC. 15. That any person who shall be guilty of violating any provision of the four foregoing sections shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine not exceeding five thousand dollars, or by imprisonment for a term not exceeding three years, or by such fine and imprisonment both, in the discretion of the court.

Approved, January 16, 1883.

DECLARATION OF INDEPENDENCE—IN CONGRESS JULY 4, 1776.

THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA.

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed

for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for

opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harrass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislature.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for

any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by jury:

For transporting us beyond Seas to be tried for pretended offenses:

For abolishing the free System of English Laws in a neighboring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow-Citizens taken Captive on the high Seas to bear Arms against their Country, to become the

executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

WE, THEREFORE, the REPRESENTATIVES of the UNITED STATES OF AMERICA, IN GENERAL CONGRESS, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by authority of the good People of these Colonies, solemnly PUBLISH and DECLARE, That these United Colonies are, and of Right ought to be FREE AND INDEPENDENT States; that they are Absolved from all

Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as FREE AND INDEPENDENT STATES, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which INDEPENDENT STATES may of right do. And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, We mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

(The foregoing declaration was, by order of Congress, engrossed, and signed by the following members:)

JOHN HANCOCK.

New Hampshire.

JOSIAH BARTLETT, MATTHEW THORNTON.
WM. WHIPPLE,

Massachusetts Bay.

SAML. ADAMS, ROBT. TREAT PAINE,
JOHN ADAMS, ELBRIDGE GERRY.

Rhode Island, etc.

STEP. HOPKINS, WILLIAM ELLERY.

Connecticut.

ROGER SHERMAN, WM. WILLIAMS,
SAM'EL HUNTINGTON, OLIVER WOLCOTT.

New York.

WM. FLOYD, FRANS. LEWIS,
PHIL. LIVINGSTON, LEWIS MORRIS.

New Jersey.

RICHD. STOCKTON, JOHN HART,
JNO. WITHERSPOON, ABRA. CLARK.
FRAS. HOPKINSON,

Pennsylvania.

ROBT. MORRIS,
BENJAMIN RUSH,
BENJA. FRANKLIN,
JOHN MORTON,
GEO. CLYMER,
JAS. SMITH,
GEO. TAYLOR,
JAMES WILSON,
GEO. ROSS.

Delaware.

CESAR RODNEY,
GEO. READ,
THO. M'KEAN.

Maryland.

SAMUEL CHASE,
WM. PACA,
THOS. STONE,
CHARLES CARROLL of Carrollton.

Virginia.

GEORGE WYTHE,
RICHARD HENRY LEE,
TH JEFFERSON,
BENJA. HARRISON,
THOS. NELSON, jr.,
FRANCIS LIGHTFOOT LEE,
CARTER BRAXTON.

North Carolina.

WM. HOOPER,
JOSEPH HEWES,
JOHN PENN.

South Carolina.

EDWARD RUTLEDGE,
THOS. HEYWARD, junr.,
THOMAS LYNCH, junr.,
ARTHUR MIDDLETON.

Georgia.

BUTTON GWINNETT,
LYMAN HALL,
GEO. WALTON.

Resolved, That copies of the Declaration be sent to the several assemblies, conventions, and committees or councils of safety, and to the several commanding officers of the Continental Troops: That it be PROCLAIMED in each of the UNITED STATES, and at the HEAD of the ARMY.—[*Jour. Cong., vol. 1, p. 396.*]

ARTICLES OF CONFEDERATION.

[While the Declaration of Independence was under consideration in the Continental Congress, and before it was finally agreed upon, measures were taken for the establishment of a constitutional form of government; and on the 11th of June, 1776, it was "*Resolved*, That a committee be appointed to prepare and digest the form of a confederation to be entered into between these Colonies;" which committee was appointed the next day, June 12, and consisted of a member from each Colony, namely: Mr. Bartlett, Mr. S. Adams, Mr. Hopkins, Mr. Sherman, Mr. R. R. Livingston, Mr. Dickinson, Mr. McKean, Mr. Stone, Mr. Nelson, Mr. Hewes, Mr. E. Rutledge, and Mr. Gwinnett.' On the 12th of July, 1776, the committee reported a draught of the Articles of Confederation, which was printed for the use of the members under the strictest injunctions of secrecy.

This report underwent a thorough discussion in Congress, from time to time, until the 15th of November, 1777; on which day, "Articles of Confederation and Perpetual Union" were finally agreed to in form, and they were directed to be proposed to the legislatures of all the United States, and if approved by them, they were advised to authorize their delegates to ratify the same in the Congress of the United States; and in that event they were to become conclusive. On the 17th of November, 1777, the Congress agreed upon the form of a circular letter to accompany the Articles of Confederation, which concluded with a recommendation to each of the several legislatures "to invest its delegates with competent powers, ultimately, and in the name and behalf of the State, to subscribe articles of confederation and perpetual union of the United States, and to attend Congress for that purpose on or before the 10th day of March next." This letter was signed by the President of Congress and sent, with a copy of the articles, to each State legislature.

On the 26th of June, 1778, Congress agreed upon the form of a ratification of the Articles of Confederation, and directed a copy of the articles and the ratification to be engrossed on parchment; which, on the 9th of July, 1778, having been examined and the blanks filled, was signed by the delegates of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, Pennsylvania, Virginia, and South Carolina. Congress then directed that a circular letter be addressed to the States whose delegates were not present, or being present, conceived

they were not authorized to sign the ratification, informing them how many and what States had ratified the Articles of Confederation, and desiring them, with all convenient dispatch, to authorize their delegates to ratify the same. Of these States, North Carolina ratified on the 21st and Georgia on the 24th of July, 1778; New Jersey on the 26th of November following; Delaware on the 5th of May, 1779; Maryland on the 1st of March, 1781; and on the 2d of March, 1781, Congress assembled under the new form of government.]

ACT OF CONFEDERATION OF THE UNITED STATES OF AMERICA.

TO ALL TO WHOM THESE PRESENTS SHALL COME, WE THE UNDERSIGNED DELEGATES OF THE STATES AFFIXED TO OUR NAMES, SEND GREETING.

Whereas the Delegates of the United States of America in Congress assembled did on the 15th day of November in the Year of our Lord One Thousand Seven Hundred and Seventy seven, and in the Second Year of the Independence of America agree to certain articles of Confederation and perpetual Union between the states of Newhampshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia in the Words following, viz.

"ARTICLES OF CONFEDERATION AND PERPETUAL UNION BETWEEN THE STATES OF NEWHAMPSHIRE, MASSACHUSETTS-BAY, RHODEISLAND AND PROVIDENCE PLANTATIONS, CONNECTICUT, NEW YORK, NEW JERSEY, PENNSYLVANIA, DELAWARE, MARYLAND, VIRGINIA, NORTH CAROLINA, SOUTH CAROLINA AND GEORGIA.

ARTICLE I. The Stile of this confederacy shall be "The United States of America."

ARTICLE II. Each State retains its Sovereignty, freedom and independence, and every Power, Jurisdiction and right, which

is not by this confederation expressly delegated to the United States in Congress assembled.

ARTICLE III. The said states hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their Liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

ARTICLE IV. The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union, the free inhabitants of each of these states, paupers, vagabonds and fugitives from Justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states; and the people of each state shall have free ingress and regress to and from any other state, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively, provided that such restrictions shall not extend so far as to prevent the removal of property imported into any state, to any other state of which the Owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any state, on the property of the united states, or either of them.

If any Person guilty of, or charged with treason, felony, or other high misdemeanor in any state, shall flee from Justice, and be found in any of the united states, he shall upon demand of the Governor or executive power, of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offence.

Full faith and credit shall be given in each of these states to the records, acts and judicial proceedings of the courts and magistrates of every other state.

ARTICLE V. For the more convenient management of the general interest of the united states, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each state, to recal its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the Year.

No state shall be represented in Congress by less than two, nor by more than seven Members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the united states, for which he, or another for his benefit receives any salary, fees or emolument of any kind.

Each state shall maintain its own delegates in a meeting of the states, and while they act as members of the committee of the states.

In determining questions in the united states, in Congress assembled, each state shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any Court, or place out of Congress, and the members of congress shall be protected in their persons from arrests and imprisonments, during the time of their going to and from, and attendance on congress, except for treason, felony, or breach of the peace.

ARTICLE VI. No state without the Consent of the united states in congress assembled, shall send any embassy to, or

receive any embassy from, or enter into any conference, agreement, alliance or treaty with any King prince or state; nor shall any person holding any office of profit or trust under the united states, or any of them, accept of any present, emolument, office or title of any kind whatever from any king, prince or foreign state; nor shall the united states in congress assembled, or any of them, grant any title of nobility.

No two or more states shall enter into any treaty, confederation or alliance whatever between them, without the consent of the united states in congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No state shall lay any imposts or duties, which may interfere with any stipulations in treaties, entered into by the united states in congress assembled with any king, prince or state, in pursuance of any treaties already proposed by congress to the courts of France and Spain.

No vessels of war shall be kept up in time of peace by any state, except such number only, as shall be deemed necessary by the united states in congress assembled, for the defence of such state, or its trade; nor shall any body of forces be kept up by any state, in time of peace, except such number only, as in the judgment of the united states, in congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of such state; but every state shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred, and shall provide and constantly have ready for use, in public stores, a due number of field-pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No state shall engage in any war without the consent of the united states in congress assembled, unless such state be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such state, and the danger is so imminent as not to admit of a delay, till the united states in congress assembled can be consulted: nor shall any state grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the united states in congress assembled, and then only against the kingdom or state and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the united states in congress assembled, unless such state be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the united states in congress assembled shall determine otherwise.

ARTICLE VII. When land-forces are raised by any state for the common defence, all officers of or under the rank of colonel, shall be appointed by the legislature of each state respectively by whom such forces shall be raised, or in such manner as such state shall direct, and all vacancies shall be filled up by the state which first made the appointment.

ARTICLE VIII. All charges of war, and all other expences that shall be incurred for the common defence or general welfare, and allowed by the united states in congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the value of all land within each state, granted to or surveyed for any Person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the united states

in congress assembled, shall from time to time direct and appoint.

The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states within the time agreed upon by the united states in congress assembled.

ARTICLE IX. The united states in congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article—of sending and receiving embassadors—entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever—of establishing rules for deciding in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the united states shall be divided or appropriated—of granting letters of marque and reprisal in times of peace—appointing courts for the trial of piracies and felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of congress shall be appointed a judge of any of the said courts.

The united states in congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more states concerning boundary, jurisdiction or any other cause whatever; which authority shall always be exercised in the manner following. Whenever the legislative or executive authority or lawful agent

of any state in controversy with another shall present a petition to congress stating the matter in question and praying for a hearing, notice thereof shall be given by order of congress to the legislative or executive authority of the other state in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question: but if they cannot agree, congress shall name three persons out of each of the united states, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names as congress shall direct, shall in the presence of congress be drawn out by lot, and the persons whose names shall be so drawn or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination: and if either party shall neglect to attend at the day appointed, without showing reasons, which congress shall judge sufficient, or being present shall refuse to strike, the congress shall proceed to nominate three persons out of each State, and the secretary of congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed, in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive, the judgment or sentence and other proceedings being

in either case transmitted to congress, and lodged among the acts of congress for the security of the parties concerned: provided that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superior court of the state, where the cause shall be tried, "well and truly to hear and determine the matter in question, according to the best of his judgment, without favour, affection or hope of reward:" provided also that no state shall be deprived of territory for the benefit of the united states.

All controversies concerning the private right of soil claimed under different grants of two or more states, whose jurisdictions as they may respect such lands, and the states which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall on the petition of either party to the congress of the united states, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

The united states in congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective states—fixing the standard of weights and measures throughout the united states—regulating the trade and managing all affairs with the Indians, not members of any of the states, provided that the legislative right of any state within its own limits be not infringed or violated—establishing and regulating post-offices from one state to another, throughout all the united states, and exacting such postage on the papers passing

thro' the same as may be requisite to defray the expences of the said office—appointing all officers of the land forces, in the service of the united states, excepting regimental officers—appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the united states—making rules for the government and regulation of the said land and naval forces, and directing their operations.

The united states in congress assembled shall have authority to appoint a committee, to sit in the recess of congress, to be denominated "A Committee of the States," and to consist of one delegate from each state; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the united states under their direction—to appoint one of their number to preside, provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of Money to be raised for the service of the united states, and to appropriate and apply the same for defraying the public expences—to borrow money, or emit bills on the credit of the united states, transmitting every half year to the respective states an account of the sums of money so borrowed or emitted,—to build and equip a navy—to agree upon the number of land forces, and to make requisitions from each state for its quota, in proportion to the number of white inhabitants in such state; which requisitions shall be binding, and thereupon the legislature of each state shall appoint the regimental officers, raise the men and cloath, arm and equip them in a soldier like manner, at the expence of the united states; and the officers and men so cloathed, armed and equipped shall march to the place appointed, and within the time agreed on by the united

states in congress assembled: But if the united states in congress assembled shall, on consideration of circumstances judge proper that any state should not raise men, or should raise a smaller number than its quota, and that any other state should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, cloathed, armed and equipped in the same manner as the quota of such state, unless the legislature of such state shall judge that such extra number cannot be safely spared out of the same, in which case they shall raise officer, cloath, arm and equip as many of such extra number as they judge can be safely spared. And the officers and men so cloathed, armed and equipped, shall march to the place appointed, and within the time agreed on by the united states in congress assembled.

The united states in congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expences necessary for the defence and welfare of the united states, or any of them, nor emit bills, nor borrow money on the credit of the united states, nor appropriate money, nor agree upon the number of vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander-in-chief of the army or navy, unless nine states assent to the same: nor shall a question on any other point, except for adjourning from day to day be determined, unless by the votes of a majority of the united states in congress assembled.

The Congress of the united states shall have power to adjourn to any time within the year, and to any place within the united

states, so that no period of adjournment be for a longer duration than the space of six Months, and shall publish the Journal of their proceedings monthly, except such parts thereof relating to treaties, alliances or military operations, as in their judgment require secrecy; and the yeas and nays of the delegates of each state on any question shall be entered on the Journal, when it is desired by any delegate; and the delegates of a state, or any of them, at his or their request shall be furnished with a transcript of the said Journal, except such parts as are above excepted, to lay before the legislatures of the several states.

ARTICLE X. The committee of the states, or any nine of them, shall be authorized to execute, in the recess of congress, such of the powers of congress as the united states in congress assembled, by the consent of nine states, shall from time to time think expedient to vest them with; provided that no power be delegated to the said committee, for the exercise of which, by the articles of confederation, the voice of nine states in the congress of the united states assembled is requisite.

ARTICLE XI. Canada acceding to this confederation, and joining in the measures of the united states, shall be admitted into, and entitled to all the advantages of this union: but no other colony shall be admitted into the same, unless such admission be agreed to by nine states.

ARTICLE XII. All bills of credit emitted, monies borrowed and debts contracted by, or under the authority of congress, before the assembling of the united states, in pursuance of the present confederation, shall be deemed and considered as a charge against the united states, for payment and satisfaction

whereof the said united states, and the public faith are hereby solemnly pledged.

ARTICLE XIII. Every state shall abide by the determinations of the united states in congress assembled, on all questions which by this confederation are submitted to them. And the Articles of this confederation shall be inviolably observed by every state, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a congress of the united states, and be afterwards confirmed by the legislatures of every state.

AND WHEREAS it hath pleased the Great Governor of the World to incline the hearts of the legislatures we respectively represent in congress, to approve of, and to authorize us to ratify the said articles of confederation and perpetual union. KNOW YE that we the undersigned delegates, by virtue of the power and authority to us given for that purpose, do by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said articles of confederation and perpetual union, and all and singular the matters and things therein contained: And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the united states in congress assembled, on all questions, which by the said confederation are submitted to them. And that the articles thereof shall be inviolably observed by the states we respectively represent, and that the union shall be perpetual.

IN WITNESS whereof we have hereunto set our hands in Congress. DONE at Philadelphia in the state of Pennsylvania the ninth Day of July in the Year of our Lord one Thousand

JOSIAH BARTLETT, JOHN WENTWORTH, JUNR. August 8, 1778.

On the part and behalf of the State of Massachusetts Bay.

JOHN HANCOCK, FRANCIS DANA,
SAMUEL ADAMS, JAMES LOVELL,
ELBRIDGE GERRY, SAMUEL HOLTEN.

On the part and in behalf of the State of Rhode Island and Providence Plantations.

WILLIAM ELLERY, JOHN COLLINS.
HENRY MARCHANT,

On the part and behalf of the State of Connecticut.

ROGER SHERMAN, TITUS HOSMER,
SAMUEL HUNTINGTON, ANDREW ADAMS.
OLIVER WOLCOTT,

On the part and behalf of the State of New York.

JAS DUANE, WILLIAM DUER,
FRAS LEWIS, GOUVR MORRIS.

On the part and in behalf of the State of New Jersey.

JNO WITHERSPOON, NATHL SCUDDER, Nov. 26, 1778.

On the part and behalf of the State of Pennsylvania.

On the part and behalf of the State of Delaware.

JOHN DICKINSON, May 5, 1779,
NICHOLAS VAN DYKE,
THO. M'KEAN, Feb. 12, 1779.

On the part and behalf of the State of Maryland.

JOHN HANSON, March 1, 1781,
DANIEL CARROLL, Do

On the part and behalf of the State of Virginia.

RICHARD HENRY LEE,
JOHN BANISTER,
THOMAS ADAMS,
JNO HARVIE,
FRANCIS LIGHTFOOT LEE.

On the part and behalf of the State of North Carolina.

JOHN PENN, July 21, 1778,
CORNS. HARNETT,
JNO. WILLIAMS.

On the part and behalf of the State of South Carolina.

HENRY LAURENS,
WILLIAM HENRY DRAYTON,
JNO MATHEWS,
RICHARD HUTSON,
THOS. HEYWARD, JUNR

On the part and behalf of the State of Georgia.

JNO WALTON, 24th July, 1778,
EDWD TELFAIR,
EDWD. LANGWORTHY.

ORDINANCE OF 1787.

AN ORDINANCE FOR THE GOVERNMENT OF THE TERRITORY OF THE UNITED STATES NORTHWEST OF THE RIVER OHIO.

[THE CONFEDERATE CONGRESS, JULY 13, 1787.]

SECTION 1. *Be it ordained by the United States in Congress assembled*, That the said Territory, for the purpose of temporary government, be one district, subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

SEC. 2. *Be it ordained by the authority aforesaid*, That the estates both of resident and non-resident proprietors in the said territory, dying intestate, shall descend to, and be distributed among, their children and the descendants of a deceased child in equal parts, the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them; and where there shall be no children or descendants, then in equal parts to the next of kin, in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parents' share; and there shall, in no case, be a distinction between kindred of the whole and half blood; saving in all cases to the widow of the intestate, her third part of the real estate for life, and one-third part of the personal estate; and this law relative to descents and dower, shall remain in full

force until altered by the legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be, (being of full age,) and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed, and delivered by the person, being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts, and registers, shall be appointed for that purpose; and personal property may be transferred by delivery, saving, however, to the French and Canadian inhabitants, and other settlers of the Kaskaskies, Saint Vincents, and the neighboring villages, who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance of property.

SEC. 3. *Be it ordained by the authority aforesaid*, That there shall be appointed, from time to time, by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein, in one thousand acres of land, while in the exercise of his office.

SEC. 4. There shall be appointed from time to time, by Congress, a secretary, whose commission shall continue in force for four years, unless sooner revoked; he shall reside in the district, and have a freehold estate therein, in five hundred acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the acts and laws passed by the legis-

lature, and the public records of the district, and the proceedings of the governor in his executive department, and transmit authentic copies of such acts and proceedings every six months to the Secretary of Congress. There shall also be appointed a court, to consist of three judges, any two of whom to form a court, who shall have a common-law jurisdiction, and reside in the district, and have each therein a freehold estate, in five hundred acres of land, while in the exercise of their offices; and their commissions shall continue in force during good behavior.

SEC. 5. The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary, and best suited to the circumstances of the district, and report them to Congress from time to time, which laws shall be in force in the district until the organization of the general assembly therein, unless disapproved of by Congress; but afterwards the legislature shall have authority to alter them as they shall think fit.

SEC. 6. The governor, for the time being, shall be commander-in-chief of the militia, appoint and commission all officers in the same below the rank of general officers, all general officers shall be appointed and commissioned by Congress.

SEC. 7. Previous to the organization of the general assembly the governor shall appoint such magistrates, and other civil officers, in each county or township, as he shall find necessary for the preservation of the peace and good order in the same. After the general assembly shall be organized the powers and duties of magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers, not herein otherwise directed, shall, during the continuance of this temporary government, be appointed by the governor.

SEC. 8. For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof, and he shall proceed, from time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature.

SEC. 9. So soon as there shall be five thousand free male inhabitants, of full age, in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect representatives from their counties or townships, to represent them in the general assembly: *Provided*, That for every five hundred free male inhabitants there shall be one representative, and so on, progressively, with the number of free male inhabitants, shall the right of representation increase, until the number of representatives shall amount to twenty-five; after which the number and proportion of representatives shall be regulated by the legislature: *Provided*, That no person be eligible or qualified to act as a representative, unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years, and, in either case, shall likewise hold in his own right, in fee-simple, two hundred acres of land within the same: *Provided also*, That a freehold in fifty acres of land in the district, having been a citizen of one of the States, and being resident in the district, or the like freehold and two years' residence in the district, shall be necessary to qualify a man as an elector of a representative.

SEC. 10. The representatives thus elected shall serve for

the term of two years; and in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township, for which he was a member, to elect another in his stead, to serve for the residue of the term.

SEC. 11. The general assembly, or legislature, shall consist of the governor, legislative council, and a house of representatives. The legislative council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum; and the members of the council shall be nominated and appointed in the following manner, to wit: As soon as representatives shall be elected the governor shall appoint a time and place for them to meet together, and, when met they shall nominate ten persons, resident in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress, five of whom Congress shall appoint and commission to serve as aforesaid; and whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress, one of whom Congress shall appoint and commission for the residue of the term; and every five years, four months at least before the expiration of the time of service of the members of the council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress, five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives shall have authority to make laws in all cases for the good government of the district, not repugnant to the principles and articles in this ordi-

nance established and declared. And all bills, having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent; but no bill or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the general assembly, when, in his opinion, it shall be expedient.

SEC. 12. The governor, judges, legislative council, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity, and of office; the governor before the President of Congress, and all other officers before the governor. As soon as a legislature shall be formed in the district, the council and house assembled, in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating, but not of voting, during this temporary government.

SEC. 13. And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions, are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory; to provide, also, for the establishment of States, and permanent government therein, and for their admission to a share in the Federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest:

SEC. 14. It is hereby ordained and declared, by the authority aforesaid, That the following articles shall be considered as articles of compact, between the original States and the people and States in the said territory, and forever remain unalterable, unless by common consent, to wit:

ARTICLE I.

No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship, or religious sentiments, in the said territories.

ARTICLE II.

The inhabitants of the said territory shall always be entitled to the benefits of the writs of *habeas corpus*, and of the trial by jury; of a proportionate representation of the people in the legislature, and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offences, where the proof shall be evident, or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers, or the law of the land, and should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made or have force in the said territory, that shall, in any manner whatever, interfere with or affect private contracts, or engagements, *bona fide*, and without fraud previously formed.

ARTICLE III.

Religion, morality, and knowledge being necessary to good government, and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost

good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty they never shall be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall, from time to time, be made, for preventing wrongs being done to them, and for preserving peace and friendship with them.

ARTICLE IV.

The said territory, and the States which may be formed therein, shall forever remain a part of this confederacy of the United States of America, subject to the Articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the Federal debts, contracted, or to be contracted, and a proportional part of the expenses of government to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the legislatures of the district, or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts, or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the *bona-fide* purchasers. No tax shall be imposed

on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and Saint Lawrence, and the carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of the said territory as to the citizens of the United States, and those of any other States that may be admitted into the confederacy, without any tax, impost, or duty therefor.

[Sands *v.* Manistee River Imp. Co., 123 U. S., 288.

ARTICLE V.

There shall be formed in the said territory not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession and consent to the same, shall become fixed and established as follows, to wit: The western State, in the said territory, shall be bounded by the Mississippi, the Ohio, and the Wabash Rivers; a direct line drawn from the Wabash and Post Vincents, due north, to the territorial line between the United States and Canada; and by the said territorial line to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the said territorial line, and by the said territoria lline. The eastern State shall be bounded by the last-mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: *Provided, however,* And it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies north of an east and west line drawn

through the southerly bend or extreme of Lake Michigan. And whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States, in all respects whatever; and shall be at liberty to form a permanent constitution and State government: *Provided*, The constitution and government, so to be formed, shall be republican, and in conformity to the principles contained in these articles, and, so far as it can be consistent with the general interests of the Confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

ARTICLE VI.

There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: *Provided always*, That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid.

Be it ordained by the authority aforesaid, That the resolutions of the 23d of April, 1784, relative to the subject of this ordinance, be, and the same are hereby, repealed, and declared null and void.

Done by the United States, in Congress assembled, the 13th day of July, in the year of our Lord 1787, and of their sovereignty and independence the 12th.

CHARLES THOMSON,
Sec'y.

SENATORS OF THE UNITED STATES FROM THE FIRST TO THE FIFTY-FOURTH CONGRESS, INCLUSIVE.

Under Article I, section 3, clause 2, of the Constitution of the United States, relating to the classification of Senators in the First and succeeding Congresses, it was provided that, "Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year." The classification of the Senators of the First Congress was made in accordance with this provision by lot. The table beginning on the following page shows the classes to which the Senators of the First Congress, and from States subsequently admitted into the Union, were severally assigned, and the succession in each State to the close of the Fifty-fourth Congress.

TABLE OF SENATORS OF THE UNITED STATES FROM THE FIRST TO THE FIFTY-FOURTH CONGRESS, INCLUSIVE.

ALABAMA.

CLASS 2.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
16th to 28th.....1819–1845	William R. King.....	Oct. 28, 1819	Mar. 3, 1847	Resigned in 1844.
28th to 30th.....1843–1849	Dixon H. Lewis.....	Apr. 22, 1844	Dec. 10, 1845	By governor, to fill vacancy.
Do .....do....	.....do.....	Dec. 10, 1845	Mar. 3, 1853	Died Oct. 25, 1848.
30th to 31st.....1847–1851	Benjamin Fitzpatrick	Nov. 20, 1848	Nov. 30, 1849	By governor, to fill vacancy.
31st to 32d.....1849–1853	Jeremiah Clemens.....	Nov. 30, 1849	Mar. 3, 1853	
33d to 36th 1853–1861	Clement C. Clay.....	Mar. 4, 1853	Mar. 3, 1865	Retired from the Senate Jan. 21, 1861.
37th to 39th.....1861–1867	Vacant	.....	.....	State unrepresented in this class from Jan. 21, 1861, to June 25, 1868, because of civil war.
40th to 41st.....1867–1871	Willard Warner	June 25, 1868	Mar. 3, 1871	By legislature, to fill vacancy in term beginning Mar. 4, 1865.
42d to 44th 1871–1877	George Goldthwaite.....	Jan. 15, 1872	Mar. 3, 1877	
45th to 53d 1877–1895	John T. Morgan.....	Mar. 4, 1877	Mar. 3, 1895	
54th 1895–1897	.....do.....	.....do.....	Mar. 3, 1901	

CLASS 3.

16th to 17th.....1819–1823	John W. Walker	Oct. 28, 1819	Mar. 3, 1825	Resigned in 1822.
17th to 18th.....1821–1825	William Kelly	Dec. 12, 1822	.....do.....	
19th 1825–1827	Henry Chambers.....	Mar. 4, 1825	Mar. 3, 1831	Died Jan. 25, 1826.
Do .....do....	Israel Pickens	Feb. 17, 1826	Nov. 27, 1826	By governor, to fill vacancy.
19th to 21st.....1825–1831	John McKinley.....	Nov. 27, 1826	Mar. 3, 1831	
22d to 24th 1831–1837	Gabriel Moore	Mar. 4, 1831	Mar. 3, 1837	

25th 1837–1839	John McKinley.....	Mar. 4, 1837	Mar. 3, 1843	Appointed Associate Justice United States Supreme Court, and resigned his seat in Senate.
25th to 27th.....1837–1843	Clement C. Clay.....	.....do	.....do.....	Resigned in 1841.
27th to 30th.....1841–1849	Arthur P. Bagby	Nov. 24, 1841	Mar. 3, 1849	Resigned in 1848.
30th to 32d 1847–1853	William R. King	July 1, 1848	.....do.....	By governor, to fill vacancy.
Do .....do....	.....do	Mar. 4, 1849	Mar. 3, 1855	Resigned in 1853.
32d to 36th 1851–1861	Benjamin Fitzpatrick	Jan. 14, 1853	Dec. 12, 1853	By governor, to fill vacancy.
Do .....do....	.....do	Dec. 12, 1853	Mar. 3, 1861	Retired from Senate Jan. 21, 1861.
37th to 39th.....1861–1867	Vacant	.....	.....	State unrepresented in this class from Jan. 21, 1861, to June 25, 1868, because of civil war.
40th to 45th.....1867–1879	George E. Spencer.....	June 25, 1868	Mar. 3, 1879	By legislature, to fill vacancy in term beginning Mar. 4, 1867.
46th 1879–1881	George S. Houston.....	Mar. 4, 1879	Mar. 3, 1885	Died Dec. 31, 1879.
Do .....do....	Luke Pryor	Jan. 7, 1880	Nov. 24, 1880	By governor, to fill vacancy.
46th to 53d 1879–1895	James L. Pugh	Nov. 24, 1880	Mar. 3, 1897	
54th 1895–1897	.....do	.....do.....	.....do.....	

ARKANSAS.

CLASS 2.

24th to 28th.....1835–1845	William S. Fulton.....	Sept. 18, 1836	Mar. 3, 1847	Died Aug. 15, 1844.
28th to 30th.....1843–1849	Chester Ashley	Nov. 8, 1844	Mar. 3, 1853	Died Apr. 29, 1848.
30th to 37th.....1847–1863	William K. Sebastian	May 12, 1848	Nov. 17, 1848	By governor, to fill vacancy.
Do .....do....	.....do	Nov. 17, 1848	Mar. 3, 1865	Retired from Senate July 11, 1861.
38th to 39th.....1863–1867	Vacant	.....	.....	State unrepresented in this class from July 11, 1861, to June 22, 1868, by reason of civil war.
40th to 41st 1867–1871	Alex. McDonald.....	June 22, 1868	Mar. 3, 1871	By legislature, to fill vacancy in the term beginning Mar. 4, 1865.
42d to 44th.....1871–1877	Powell Clayton	Mar. 4, 1871	Mar. 3, 1877	

ARKANSAS (CLASS 2)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
45th to 49th.....1877–1887	Augustus H. Garland	Mar. 4, 1877	Mar. 3, 1889	Resigned Mar. 6, 1885.
49th to 53d.....1885–1895	James H. Berry	Mar. 25, 1885	Mar. 3, 1895	
54th.....1895–1897	.....do	.....do	Mar. 3, 1901	

CLASS 3.

24th to 30th.....1835–1849	Ambrose H. Sevier.....	Sept. 18, 1836	Mar. 3, 1849	Resigned in 1848.
30th to 33d.....1847–1855	Solon Borland.....	Mar. 30, 1848	Nov. 17, 1848	By governor, to fill vacancy.
Do.....do	.....do	Nov. 17, 1848	Mar. 3, 1855	Resigned in 1853.
33d to 36th.....1853–1861	Robert W. Johnson	July 6, 1853	Nov. 10, 1854	By governor, to fill vacancy.
Do.....do	.....do	Nov. 10, 1854	Mar. 3, 1861	
37th 1861–1863	Charles B. Mitchel	Mar. 4, 1861	Mar. 3, 1867	Retired from the Senate July 11, 1861.
38th to 39th.....1863–1867	Vacant	.....	.....	State unrepresented in this class from July 11, 1861, to June 23, 1868, because of civil war.
40th to 42d.....1867–1873	Benjamin F. Rice	June 23, 1868	Mar. 3, 1873	By legislature, to fill vacancy in the term beginning Mar. 4, 1867.
43d to 45th.....1873–1879	Stephen W. Dorsey	Mar. 4, 1873	Mar. 3, 1879	
46th to 48th.....1879–1885	James D. Walker	Mar. 4, 1879	Mar. 3, 1885	
49th to 53d.....1885–1895	James K. Jones	Mar. 4, 1885	Mar. 3, 1897	
54th 1895–1897	.....do	.....do	.....do	

CALIFORNIA.

CLASS 1.

31st.....1849–1851	John C. Frémont.....	Dec. 20, 1849	Mar. 3, 1851	
32d to 34th.....1851–1857	John B. Weller.....	Mar. 4, 1851	Mar. 3, 1857	
35th to 36th.....1857–1861	David C. Broderick.....	Mar. 4, 1857	Mar. 3, 1863	Died Sept. 16, 1859.
36th 1859–1861	Henry P. Haun.....	Nov. 3, 1859	Jan. 11, 1860	By governor, to fill vacancy.
36th to 37th.....1859–1863	Milton S. Latham.....	Jan. 11, 1860	Mar. 3, 1863	
38th to 40th.....1863–1869	John Conness.....	Mar. 4, 1863	Mar. 3, 1869	
41st to 43d.....1869–1875	Eugene Casserly.....	Mar. 4, 1869	Mar. 3, 1875	Resigned Nov. 29, 1873.
43d.....1873–1875	John S. Hager.....	Nov. 29, 1873	.....do.....	
44th to 46th.....1875–1881	Newton Booth.....	Mar. 4, 1875	Mar. 3, 1881	
47th to 49th.....1881–1887	John F. Miller.....	Mar. 4, 1881	Mar. 3, 1887	Died Mar. 8, 1886.
49th 1885–1887	George Hearst.....	Mar. 23, 1886	Aug. 4, 1886	By governor, to fill vacancy.
Do .....do....	Abram P. Williams.....	Aug. 4, 1886	Mar. 3, 1887	
50th to 51st.....1887–1891	George Hearst.....	Mar. 4, 1887	Mar. 3, 1893	Died Feb. 28, 1891.
51st to 52d.....1889–1893	Charles N. Felton.....	Mar. 1, 1891	.....do.....	
53d 1893–1895	Stephen M. White.....	Mar. 4, 1893	Mar. 3, 1899	
54th 1895–1897	.....do.....	.....do.....	.....do.....	

CLASS 3.

31st to 36th.....1849–1861	William M. Gwin.....	Dec. 20, 1849	Mar. 3, 1861	
37th to 39th.....1861–1867	James A. McDougall.....	Mar. 4, 1861	Mar. 3, 1867	
40th to 42d.....1867–1873	Cornelius Cole.....	Mar. 4, 1867	Mar. 3, 1873	
43d to 45th.....1873–1879	Aaron A. Sargent.....	Mar. 4, 1873	Mar. 3, 1879	
46th to 48th.....1879–1885	James T. Farley.....	Mar. 4, 1879	Mar. 3, 1885	
49th to 53d.....1885–1895	Leland Stanford.....	Mar. 4, 1885	Mar. 3, 1897	Died June 21, 1893.
53d 1893–1895	George C. Perkins.....	July 26, 1893	Jan. 23, 1895	By governor, to fill vacancy.
Do .....do....	.....do.....	Jan. 23, 1895	Mar. 3, 1897	
54th.....1895–1897	.....do.....	.....do.....	.....do.....	

COLORADO.

CLASS 2.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
44th to 47th.....1875–1883	Henry M. Teller.....	Dec. 4, 1876	Mar. 3, 1883	Resigned in 1882.
47th 1881–1883	George M. Chilcott.....	Apr. 11, 1882	Jan. 27, 1883	By governor, to fill vacancy.
Do .....do....	Horace A. W. Tabor.....	Jan. 27, 1883	Mar. 3, 1883	
48th to 50th.....1883–1889	Thomas M. Bowen.....	Mar. 4, 1883	Mar. 3, 1889	
51st to 53d.....1889–1895	Edward O. Wolcott.....	Mar. 4, 1889	Mar. 3, 1895	
54th 1895–1897	.....do.....	.....do.....	Mar. 3, 1901	

CLASS 3.

44th to 45th.....1875–1879	Jerome B. Chaffee.....	Dec. 4, 1876	Mar. 3, 1879	
46th to 48th.....1879–1885	Nathaniel P. Hill.....	Mar. 4, 1879	Mar. 3, 1885	
49th to 52d.....1885–1895	Henry M. Teller.....	Mar. 4, 1885	Mar. 3, 1897	
54th 1895–1897	.....do.....	.....do.....	.....do.....	

CONNECTICUT.

CLASS 1.

1st to 4th.....1789–1797	Oliver Ellsworth.....	Mar. 4, 1789	Mar. 3, 1797	Resigned in 1796.
4th to 11th.....1795–1811	James Hillhouse.....	May (*), 1796	Mar. 3, 1815	Resigned in 1810.
11th to 16th.....1809–1821	Samuel Whittlesey Dana..	May (*), 1810	Mar. 3, 1821	
17th to 18th.....1821–1825	Elijah Boardman.....	Mar. 4, 1821	Mar. 3, 1827	Died Oct. 8, 1823.

18th to 19th.....1823–1827	Henry W. Edwards.....	Oct. 8, 1823	.....	By governor, to fill vacancy.
Do .....do....	.....do.....	May(†), 1824	Mar. 3, 1827	
20th to 22d.....1827–1833	Samuel A. Foot	Mar. 4, 1827	Mar. 3, 1833	
23d to 24th.....1833–1837	Nathan Smith	Mar. 4, 1833	Mar. 3, 1839	Died Dec. 6, 1835.
24th to 25th.....1835–1839	John M. Niles.....	Dec. 14, 1835	.....	By governor, to fill vacancy.
Do .....do....	.....do	May(†), 1836	Mar. 3, 1839	
26th 1839–1841	Thaddeus Betts.....	Mar. 4, 1839	Mar. 3, 1845	Died Apr. 7, 1840.
26th to 30th.....1839–1849	Jabez Huntington	May(†), 1840	Mar. 3, 1851	Died Nov. 2, 1847.
30th to 31st 1847–1851	Roger S. Baldwin.....	Nov. 11, 1847	.....	By governor, to fill vacancy.
Do.....do....	.....do	May —, 1848	Mar. 3, 1851	
32d to 34th.....1851–1857	Isaac Toucey.....	May 12, 1852	Mar. 3, 1857	
35th to 40th.....1857–1869	James Dixon	Mar. 4, 1857	Mar. 3, 1869	
41st to 43d 1869–1875	Wm. A. Buckingham.....	Mar. 4, 1869	Mar. 3, 1875	Died Feb. 5, 1875.
43d to 46th.....1873–1881	Wm. W. Eaton	Feb. 5, 1875	.....do	By governor, to fill vacancy.
Do .....do....	.....do	Mar. 4, 1875	Mar. 3, 1881	
47th to 53d.....1881–1895	Joseph R. Hawley.....	Mar. 4, 1881	Mar. 3, 1899	
54th 1895–1897	.....do	.....do	.....do	

CLASS 3.

1st to 2d.....1789–1793	William Samuel Johnson..	Mar. 4, 1789	Mar. 3, 1795	Resigned Mar. 4, 1791.
2d 1791–1793	Roger Sherman.....	June 13, 1791	.....do	Died in 1793.
3d 1793–1795	Stephen M. Mitchell.....	Mar. 4, 1793	.....do	Resigned.
4th 1795–1797	Jonathan Trumbull.....	Mar. 4, 1795	Mar. 3, 1801	Do.
5th to 10th.....1797–1809	Uriah Tracy.....	Oct. (*), 1796	Mar. 3, 1813	Died July 19, 1807.
10th to 13th.....1807–1815	Chauncey Goodrich.....	Oct. 25, 1807	Mar. 3, 1819	Resigned in 1813.
13th to 15th.....1813–1819	David Daggett	May(*), 1813	.....do	
16th to 19th.....1819–1827	James Lanman	Mar. 4, 1819	Mar. 3, 1825	
Do .....do...	.....do	Feb. 8, 1825	.....	By governor, in recess of legislature. Not admitted.

* Second Thursday.

† First Wednesday.

CONNECTICUT (CLASS 3)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
19th to 21st.....1825–1831	Calvin Willey.....	May 4, 1825	Mar. 3, 1831	
22d to 24th.....1831–1837	Gideon Tomlinson.....	Mar. 4, 1831	Mar. 3, 1837	
25th to 27th.....1837–1843	Perry Smith.....	Mar. 4, 1837	Mar. 3, 1843	
28th to 30th.....1843–1849	John M. Niles.....	Mar. 4, 1843	Mar. 3, 1849	
31st to 33d.....1849–1855	Truman Smith.....	Mar. 4, 1849	Mar. 3, 1855	Resigned in 1854.
33d.....1853–1855	Francis Gillette.....	May 20, 1854	.....do.....	
34th to 39th.....1855–1867	Lafayette S. Foster.....	Mar. 4, 1855	Mar. 3, 1867	
40th to 44th.....1867–1877	Orris S. Ferry.....	Mar. 4, 1867	Mar. 3, 1879	Died Nov. 21, 1875.
44th.....1875–1877	James E. English.....	Nov. 27, 1875	May 17, 1876	By governor, to fill vacancy.
44th to 45th.....1875–1879	William H. Barnum.....	May 17, 1876	Mar. 3, 1879	
46th to 53d.....1879–1895	Orville H. Platt.....	Mar. 4, 1879	Mar. 3, 1897	
54th.....1895–1897	.do.....	.....do.....	.....do.....	

DELAWARE.

CLASS 1.

1st to 3d.....1789–1795	George Read.....	Mar. 4, 1789	Mar. 3, 1797	Resigned Dec. 18, 1793.
3d.....1793–1795	Kensey Johns.....	.....	.....	Appointed by the governor, Mar. 19, 1794, to fill the vacancy occasioned by the resignation of G. Read, but by resolution of the Senate, Mar. 28, 1794, was declared not entitled to a seat.
3d to 6th.....1793–1801	Henry Latimer.....	Feb. 7, 1795	Mar. 3, 1803	Resigned in 1801.

6th to 11th....1799–1811	Samuel White.....	Feb. 28, 1801	Jan. 14, 1802	By governor, to fill vacancy.
Do ....do....	.....do	Jan. 14, 1802	Mar. 3, 1815	Died Nov. 4, 1809.
11th to 16th....1809–1821	Outerbridge Horsey	Jan. 12, 1810	Mar. 3, 1821	
17th to 18th....1821–1825	Cæsar A. Rodney.....	Jan. 10, 1822	Mar. 3, 1827	Resigned in 1823.
18th to 19th....1823–1827	Thomas Clayton	Jan. 8, 1824	.....do	
20th to 21st 1827–1831	Louis McLane.....	Mar. 4, 1827	Mar. 3, 1833	Resigned in 1829.
21st to 24th 1829–1837	Arnold Naudain	Jan. 7, 1830	Mar. 3, 1839	Resigned in 1836.
24th to 28th....1835–1845	Richard H. Bayard.....	June 17, 1836	Mar. 3, 1845	
29th to 30th....1845–1849	John M. Clayton	Mar. 4, 1845	Mar. 3, 1851	Resigned in 1849.
30th to 31st 1847–1851	John Wales	Feb. 23, 1849	.....do	
32d to 38th....1851–1865	James A. Bayard	Mar. 4, 1851	Mar. 3, 1869	Resigned in 1864.
38th to 40th....1863–1869	George Read Riddle	Jan. 29, 1864	.....do	Died Mar. 27, 1867.
40th 1867–1869	James A. Bayard	Apr. 5, 1867	Jan. 18, 1869	By governor, to fill vacancy.
Do ....do....	.....do	Jan. 19, 1869	Mar. 3, 1869	
41st to 49th....1869–1887	Thomas F. Bayard	Mar. 4, 1869	Mar. 3, 1887	Resigned Mar. 6, 1885.
49th to 53d....1885–1895	George Gray.....	Mar. 19, 1885	Mar. 3, 1899	
54th 1895–1897	.....do	.....do	.....do	

CLASS 2.

1st to 2d 1789–1793	Richard Bassett.....	Mar. 4, 1789	Mar. 3, 1793	
3d to 5th....1793–1799	John Vining	Mar. 4, 1793	Mar. 3, 1799	Resigned in 1798.
5th 1797–1799	Joshua Clayton	Jan. 19, 1798	.....do	Died July 16, 1798.
5th to 8th....1797–1805	William Hill Wells	Jan. 17, 1799	Mar. 3, 1805	Resigned in 1804.
8th to 12th....1803–1813	James A. Bayard.....	Nov. 13, 1804	Mar. 3, 1817	Resigned Mar. 3, 1813.
13th to 14th....1813–1817	William Hill Wells	May 28, 1813	.....do	
15th to 19th....1817–1827	Nicholas Van Dyke.....	Mar. 4, 1817	Mar. 3, 1829	Died May 19, 1826.
19th 1825–1827	Daniel Rodney.....	Nov. 8, 1826	Jan. 12, 1827	By governor, to fill vacancy.
19th to 20th....1825–1829	Henry M. Ridgeley.....	Jan. 12, 1827	Mar. 3, 1829	
21st to 24th....1829–1837	John M. Clayton	Mar. 4, 1829	Mar. 3, 1841	Resigned in 1836.

DELAWARE (CLASS 2)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
24th to 29th.....1835–1847	Thomas Clayton.....	Jan. 9, 1837	Mar. 3, 1847	
30th to 32d.....1847–1853	Presley Spruance.....	Mar. 4, 1847	Mar. 3, 1853	
33d to 34th.....1853–1857	John M. Clayton.....	Mar. 4, 1853	Mar. 3, 1859	Died Nov. 9, 1856.
34th.....1855–1857	Joseph P. Comegys.....	Nov. 19, 1856	Jan. 14, 1857	By governor, to fill vacancy.
34th to 35th.....1855–1859	Martin W. Bates.....	Jan. 14, 1857	Mar. 3, 1859	
36th to 41st.....1859–1871	Willard Saulsbury.....	Mar. 4, 1859	Mar. 3, 1871	
42d to 50th.....1871–1889	Eli Saulsbury.....	Mar. 4, 1871	Mar. 3, 1889	
51st to 53d.....1889–1895	Anthony Higgins.....	Mar. 4, 1889	Mar. 3, 1895	
54th.....1895–1897	Vacant.....	Mar. 4, 1895	Mar. 3, 1901	

FLORIDA.

CLASS 1.

29th to 31st.....1845–1851	David L. Yulee.....	July 1, 1845	Mar. 3, 1851	
32d to 36th.....1851–1861	Stephen R. Mallory.....	Mar. 4, 1851	Mar. 3, 1863	Retired from Senate Jan. 21, 1861.
37th to 39th.....1861–1867	Vacant.....	.....	.....	State unrepresented in this class from Jan. 21, 1861, to June 25, 1868, because of civil war.
40th.....1867–1869	Adonijah S. Welsh.....	June 25, 1868	Mar. 3, 1869	By legislature, to fill vacancy in term beginning Mar. 4, 1863.
41st to 43d.....1869–1875	Abijah Gilbert.....	Mar. 4, 1869	Mar. 3, 1875	
44th to 49th.....1875–1887	Charles W. Jones.....	Mar. 4, 1875	Mar. 3, 1887	
50th to 53d.....1887–1893	Samuel Pasco.....	Mar. 4, 1887	Mar. 3, 1899	
54th.....1895–1897	.....do.....	.....do.....	.....do.....	

CLASS 3.

29th to 30th.....1845–1849	James D. Wescott, jr.....	July 1, 1845	Mar. 3, 1849	
31st to 33d.....1849–1855	Jackson Morton.....	Mar. 4, 1849	Mar. 3, 1855	
34th to 36th.....1855–1861	David L. Yulee.....	Mar. 4, 1855	Mar. 3, 1861	Retired from the Senate Jan. 21, 1861.
37th to 39th.....1861–1867	Vacant.....	.....	.....	State unrepresented in this class from Jan. 21, 1861, to June 25, 1868, because of civil war.
40th to 42d.....1867–1873	Thomas W. Osborn.....	June 25, 1868	Mar. 3, 1873	By legislature, to fill vacancy in term beginning Mar. 4, 1867.
43d to 45th.....1873–1879	Simon B. Conover.....	Mar. 4, 1873	Mar. 3, 1879	
46th to 53d.....1879–1895	Wilkinson Call.....	Mar. 4, 1879	Mar. 3, 1897	
54th.....1895–1897	.....do.....	.....do.....	.....do.....	

GEORGIA.

CLASS 2.

1st to 2d.....1789–1793	William Few.....	Mar. 4, 1789	Mar. 3, 1793	
3d to 4th.....1793–1797	James Jackson.....	Mar. 4, 1793	Mar. 3, 1799	Resigned in 1795.
4th.....1795–1797	George Walton.....	Nov. 16, 1795	Feb. 20, 1796	By governor, to fill vacancy.
4th to 5th.....1795–1799	Josiah Tatnall.....	Feb. 20, 1796	Mar. 3, 1799	
6th to 10th.....1799–1809	Abraham Baldwin.....	Mar. 4, 1799	Mar. 3, 1811	Died March 4, 1807.
10th.....1807–1809	George Jones.....	Aug. 27, 1807	Nov. 7, 1807	By governor, to fill vacancy.
10th to 12th.....1807–1813	William H. Crawford.....	Nov. 7, 1807	Mar. 3, 1817	Resigned.
13th.....1813–1815	William B. Bullock.....	Apr. 8, 1813	Nov. 6, 1813	By governor, to fill vacancy.
13th to 14th.....1813–1817	William Wyat Bibb.....	Nov. 6, 1813	Mar. 3, 1817	Resigned in 1816.
14th to 15th.....1815–1819	George M. Troup.....	Nov. 13, 1816	Mar. 3, 1823	Resigned in 1818.
15th to 16th.....1817–1821	John Forsyth.....	Nov. 7, 1818	.....do.....	Resigned in 1819.
16th to 17th.....1819–1823	Freeman Walker.....	Nov. 6, 1819	.....do.....	Resigned in 1821.
17th to 18th.....1821–1825	Nicholas Ware.....	Nov. 10, 1821	Mar. 3, 1829	Died Sept. 7, 1824.
18th to 20th.....1823–1829	Thomas W. Cobb.....	Nov. 4, 1824	.....do.....	Resigned in 1828.

GEORGIA (CLASS 2)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
20th 1827–1829	Oliver H. Prince	Nov. 7, 1828	Mar. 3, 1829	
21st to 23d 1829–1835	George M. Troup.....	Mar. 4, 1829	Mar. 3, 1835	Resigned in 1833.
23d to 25th..... 1833–1839	John P. King.....	Nov. 21, 1833	Mar. 3, 1841	Resigned in 1837.
25th to 26th..... 1837–1841	Wilson Lumpkin	Nov. 22, 1837	.....do	
27th to 32d..... 1841–1853	J. McPherson Berrien.....	Mar. 4, 1841	Mar. 3, 1853	Resigned in 1852.
32d 1851–1853	Robert M. Charlton	May 31, 1852	.....do	By governor, to fill vacancy.
33d to 36th..... 1853–1861	Robert Toombs	Mar. 4, 1853	Mar. 3, 1865	Retired from Senate Feb. 4, 1861.
37th to 40th..... 1861–1869	Vacant	.....	.....	State unrepresented in this class from Feb. 4, 1861, to July 29, 1868, because of civil war.
41st..... 1869–1871	H. V. M. Miller	July 29, 1868	Mar. 3, 1871	By legislature, to fill vacancy in term beginning Mar. 4, 1865.
42d to 44th 1871–1877	Thomas M. Norwood	Dec. 19, 1871	Mar. 3, 1877	
45th to 47th..... 1877–1883	Benjamin H. Hill	Mar. 4, 1877	Mar. 3, 1883	Died Aug. 16, 1882.
47th 1881–1883	Pope Barrow.....	Nov. 15, 1882	.....do	
48th to 53d..... 1883–1895	A. H. Colquitt	Mar. 4, 1883	Mar. 3, 1895	Died Mar. 26, 1894.
53d 1893–1895	Patrick Walsh	Apr. 2, 1894	Nov. 7, 1894	By governor, to fill vacancy.
Do .....do....	.....do	Nov. 7, 1894	Mar. 3, 1895	
54th 1895–1897	Augustus O. Bacon	Mar. 4, 1895	Mar. 3, 1901	

CLASS 3.

1st to 6th 1789–1801	James Gunn	Mar. 4, 1789	Mar. 3, 1801	
7th to 9th..... 1801–1807	James Jackson.....	Mar. 4, 1801	Mar. 3, 1807	Died Mar. 19, 1806.

9th to 11th.....1805–1811	John Milledge.....	June 19, 1806	Mar. 3, 1813	Resigned in 1809.
11th to 15th.....1809–1819	Charles Tait.....	Nov. 27, 1809	Mar. 3, 1819	
16th to 18th.....1819–1825	John Elliott.....	Mar. 4, 1819	Mar. 3, 1825	
19th to 21st.....1825–1831	J. McPherson Berrien.....	Mar. 4, 1825	Mar. 3, 1831	Resigned in 1829.
21st to 24th.....1829–1837	John Forsyth.....	Nov. 9, 1829	Mar. 3, 1837	
25th to 27th.....1837–1843	Alfred Cuthbert.....	Mar. 4, 1837	Mar. 3, 1843	
28th to 30th.....1843–1849	Walter T. Colquitt.....	Mar. 4, 1843	Mar. 3, 1849	Resigned in 1848.
30th.....1847–1849	Herschell V. Johnson.....	Feb. 4, 1848	.....do.....	By governor, to fill vacancy.
31st to 33d.....1849–1855	William C. Dawson.....	Mar. 4, 1849	Mar. 3, 1855	
34th to 36th.....1855–1861	Alfred Iverson.....	Mar. 4, 1855	Mar. 3, 1861	Retired from Senate Jan. 28, 1861.
37th to 40th.....1861–1869	Vacant.....	.....	.....	State unrepresented in this class from Jan. 28, 1861, to July 29, 1868, because of civil war
41st to 42d.....1869–1873	Joshua Hill.....	July 29, 1868	Mar. 3, 1873	By legislature, to fill vacancy in term beginning Mar. 4, 1867.
43d to 46th.....1873–1881	John B. Gordon.....	Mar. 4, 1873	Mar. 3, 1885	Resigned in 1880.
46th to 51st.....1879–1891	Joseph E. Brown.....	May 26, 1880	Nov. 16, 1880	By governor, to fill vacancy.
Do.....do.....	.....do.....	Nov. 16, 1880	Mar. 3, 1891	
52d to 53d.....1891–1895	John B. Gordon.....	Mar. 4, 1891	Mar. 3, 1897	
54th.....1895–1897	.....do.....	.....do.....	.....do.....	

IDAHO.

CLASS 2.

51st to 53d.....1889–1895	George L. Shoup.....	Dec. 18, 1890	Mar. 3, 1895	
54th.....1895–1897	.....do.....	.....do.....	Mar. 3, 1901	

IDAHO—Continued.

CLASS 3.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
51st.....1889–1891	William J. McConnell.....	Dec. 18, 1890	Mar. 3, 1891	
52d to 53d.....1891–1895	Fred T. Dubois.....	Mar. 4, 1891	Mar. 3, 1897	Oath administered Dec. 8, 1891.
54th.....1895–1897	.....do.....	.....do.....	.....do.....	

ILLINOIS.

CLASS 2.

15th to 20th.....1817–1829	Jesse B. Thomas.....	Oct. 7, 1818	Mar. 3, 1829	
21st.....1829–1831	John J. McLean.....	Mar. 4, 1829	Mar. 3, 1835	Died Oct. 14, 1830.
21st.....1829–1831	David J. Baker.....	Nov. 12, 1830	Dec. 11, 1830	By governor, to fill vacancy.
21st to 26th.....1829–1841	John M. Robinson.....	Dec. 11, 1830	Mar. 3, 1841	
27th to 28th.....1841–1845	Samuel McRoberts.....	Mar. 4, 1841	Mar. 3, 1847	Died Mar. 27, 1843.
28th to 29th.....1843–1847	James Semple.....	Aug. 16, 1843	Dec. 11, 1844	By governor, to fill vacancy.
Do.....do.....	.....do.....	Dec. 11, 1844	Mar. 3, 1847	
30th to 37th.....1847–1863	Stephen A. Douglas.....	Mar. 4, 1847	Mar. 3, 1865	Died June 3, 1861.
37th.....1861–1863	Orville H. Browning.....	June 26, 1861	Jan. 30, 1863	By governor, to fill vacancy.
37th to 38th.....1861–1865	William A. Richardson....	Jan. 12, 1863	Mar. 3, 1865	
39th to 41st.....1865–1871	Richard Yates.....	Mar. 4, 1865	Mar. 3, 1871	
42d to 44th.....1871–1877	John A. Logan.....	Mar. 4, 1871	Mar. 3, 1877	
45th to 47th.....1877–1883	David Davis.....	Mar. 4, 1877	Mar. 3, 1883	
48th to 53d.....1883–1895	Shelby M. Cullom.....	Mar. 4, 1883	Mar. 3, 1895	
54th.....1895–1897	.....do.....	.....do.....	Mar. 3, 1901	

CLASS 3.

15th to 18th.....1817–1825	Ninian Edwards.....	Oct. 7, 1818	Mar. 3, 1825	Resigned in 1824.
18th 1823–1825	John J. McLean.....	Nov. 23, 1824	.....do	
19th to 23d.....1825–1835	Elias K. Kane.....	Mar. 4, 1825	Mar. 3, 1837	Died Dec. 11, 1835.
23d to 24th.....1833–1837	William Lee D. Ewing....	Dec. 30, 1835	.....do	
25th to 27th.....1837–1843	Richard M. Young.....	Mar. 4, 1837	Mar. 3, 1843	
28th to 30th.....1843–1849	Sidney Breese.....	Mar. 4, 1843	Mar. 3, 1849	
31st to 33d.....1849–1855	James Shields.....	Mar. 4, 1849	Mar. 3, 1855	
34th to 42d.....1855–1873	Lyman Trumbull.....	Mar. 4, 1855	Mar. 3, 1873	
43d to 45th.....1873–1879	Richard J. Oglesby.....	Mar. 4, 1873	Mar. 3, 1879	
46th to 49th.....1879–1887	John A. Logan.....	Mar. 4, 1879	Mar. 3, 1891	Died Dec. 26, 1886.
49th to 51st.....1885–1891	Charles B. Farwell.....	Jan. 25, 1887	.....do	
52d to 53d.....1891–1895	John M. Palmer.....	Mar. 4, 1891	Mar. 3, 1897	
54th 1895–1897	.....do	.....do	.....do	

INDIANA.

CLASS 1.

14th to 21st.....1815–1831	James Noble.....	Nov. 8, 1816	Mar. 3, 1833	Died Feb. 28, 1831.
22d 1831–1833	Robert Hanna	Aug. 19, 1831	Dec. 9, 1831	By governor, to fill vacancy.
22d to 25th:.....1831–1839	John Tipton	Dec. 9, 1831	Mar. 3, 1839	
26th to 28th.....1839–1845	Albert S. White	Mar. 4, 1839	Mar. 3, 1845	
29th to 37th.....1845–1863	Jesse D. Bright.....	Mar. 4, 1845	Mar. 3, 1863	Expelled Feb. 5, 1862.
37th 1861–1863	Joseph A. Wright.....	Feb. 24, 1862	Jan. 22, 1863	By governor, to fill vacancy.
Do.....do...	David Turpie	Jan. 14, 1863	Mar. 3, 1863	
38th to 40th.....1863–1869	Thomas A. Hendricks.....	Mar. 4, 1863	Mar. 3, 1869	
41st to 43d.....1869–1875	Daniel D. Pratt.....	Mar. 4, 1869	Mar. 3, 1875	
44th to 46th.....1875–1881	Joseph E. McDonald.....	Mar. 4, 1875	Mar. 3, 1881	

INDIANA (CLASS 1)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
47th to 49th.....1881–1887	Benjamin Harrison.....	Mar. 4, 1881	Mar. 3, 1887	
50th to 53d.....1887–1895	David Turpie	Mar. 4, 1887	Mar. 3, 1899	
54th 1895–1897	.....do	.....do.....	.....do.....	

CLASS 3.

14th to 18th.....1815–1825	Waller Taylor.....	Nov. 8, 1816	Mar. 3, 1825	
19th to 24th.....1825–1837	William Hendricks.....	Mar. 4, 1825	Mar. 3, 1837	
25th to 27th.....1837–1843	Oliver H. Smith.....	Mar. 4, 1837	Mar. 3, 1843	
28th to 30th.....1843–1849	Edward A. Hannegan	Mar. 4, 1843	Mar. 3, 1849	
31st to 32d 1849–1853	James Whitcomb	Mar. 4, 1849	Mar. 3, 1855	Died Oct. 4, 1852.
32d 1851–1853	Charles W. Cathcart.....	Nov. 23, 1852	Jan. 17, 1853	By governor, to fill vacancy.
33d 1853–1855	John Pettit.....	Jan. 11, 1853	Mar. 3, 1855	
34th to 36th.....1855–1861	Graham N. Fitch	Feb. 4, 1857	Mar. 3, 1861	Vacancy in this class from Mar. 4, 1855, to Feb. 4, 1857.
37th to 39th.....1861–1867	Henry S. Lane.....	Mar. 4, 1861	Mar. 3, 1867	
40th to 45th.....1867–1879	Oliver P. Morton.....	Mar. 4, 1867	Mar. 3, 1879	Died Nov. 1, 1877.
45th to 53d.....1877–1895	Daniel W. Voorhees.....	Nov. 6, 1877	Jan. 31, 1879	By governor, to fill vacancy.
Do .....do....	.....do	Jan. 31, 1879	Mar. 3, 1897	
54th.....1895–1897	.....do	.....do.....	.....do.....	

IOWA.

Class 2.

30th to 35th.....1847–1859	George W. Jones.....	Dec. 7, 1848	Mar. 3, 1859	
36th to 41st.....1859–1871	James W. Grimes.....	Mar. 4, 1859	Mar. 3, 1871	Resigned Dec. 6, 1869.
41st.....1869–1871	James B. Howell.....	Jan. 18, 1870	.....do.....	
42d to 44th.....1871–1877	George G. Wright.....	Mar. 4, 1871	Mar. 3, 1877	
45th to 47th.....1877–1883	Samuel J. Kirkwood.....	Mar. 4, 1877	Mar. 3, 1883	Resigned.
47th 1881–1883	James W. McDill.....	Mar. 8, 1881	Jan. 18, 1882	By governor, to fill vacancy.
Do .....do....	.....do.....	Jan. 18, 1882	Mar. 3, 1883	
48th to 53d.....1883–1895	James F. Wilson	Mar. 4, 1883	Mar. 3, 1895	
54th 1895–1897	John H. Gear	Mar. 4, 1895	Mar. 3, 1901	

Class 3.

30th to 33d.....1847–1855	Augustus G. Dodge.....	Dec. 7, 1848	Mar. 3, 1855	
34th to 39th.....1855–1867	James Harlan.....	Mar. 4, 1855	Mar. 3, 1861	Seat declared vacant by resolution of the Senate, Jan. 12, 1857.
Do .....do...	.....do.....	Jan. 17, 1857	Mar. 3, 1867	Resigned May 15, 1865.
39th 1865–1867	Samuel J. Kirkwood.....	May 16, 1865	.....do.....	
40th to 42d.....1867–1873	James Harlan.....	Mar. 4, 1867	Mar. 3, 1873	
43d to 53d.....1873–1895	William B. Allison.....	Mar. 4, 1873	Mar. 3, 1897	
54th 1895–1897	.....do.....	.....do.....	.....do.....	

KANSAS.

Class 2.

37th to 39th.....1861–1867	James H. Lane.....	Apr. 4, 1861	Mar. 3, 1871	Died July 11, 1866.
39th to 41st 1865–1871	Edmund G. Ross.....	July 12, 1866	Jan. 23, 1867	By governor, to fill vacancy.
Do.....do....	.....do.....	Jan. 23, 1867	Mar. 3, 1871	

KANSAS (CLASS 2)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
42d to 43d 1871–1875	Alexander Caldwell	Mar. 4, 1871	Mar. 3, 1877	Resigned Mar. 24, 1873.
43d 1873–1875	Robert Crozier.....	Nov. 24, 1873	Feb. 13, 1874	By governor, to fill vacancy.
43d to 44th 1873–1877	James M. Harvey.....	Feb. 2, 1874	Mar. 3, 1877	
45th to 52d 1877–1893	Preston B. Plumb.....	Mar. 4, 1877	Mar. 3, 1895	Died Dec. 20, 1891.
52d 1891–1893	Bishop W. Perkins.....	Jan. 5, 1892	Mar. 3, 1893	By governor, to fill vacancy.
53d 1893–1895	John Martin	Mar. 4, 1893	Mar. 3, 1895	
54th 1895–1897	Lucien Baker	Mar. 4, 1895	Mar. 3, 1901	

CLASS 3.

37th to 42d 1861–1873	Samuel C. Pomeroy.....	Apr. 4, 1861	Mar. 4, 1873	
43d to 51st 1873–1891	John J. Ingalls.....	Mar. 4, 1873	Mar. 3, 1891	
52d to 53d..... 1891–1895	William A. Peffer.....	Mar. 4, 1891	Mar. 3, 1897	
54th 1895–1897	.....do.....	.....do.....	.....do.....	

KENTUCKY.

CLASS 2.

2d to 8th..... 1791–1805	John Brown.....	June 18, 1792	Mar. 3, 1805	
9th to 11th..... 1805–1811	Buckner Thurston	Mar. 4, 1805	Mar. 3, 1811	Resigned in 1809.
11th 1809–1811	Henry Clay	Jan. 4, 1810	.....do.....	
12th to 13th..... 1811–1815	George M. Bibb.....	Mar. 4, 1811	Mar. 3, 1817	Resigned in 1814.

13th 1813–1815	George Walker	Aug. 30, 1814	Dec. 16, 1814	By governor, to fill vacancy.
13th to 14th..... 1813–1817	William T. Barry	Dec. 16, 1814	Mar. 3, 1817	Resigned in 1816.
14th 1815–1817	Martin D. Hardin.....	Nov. 13, 1816	Dec. 5, 1816	By governor, to fill vacancy.
Do.....do....	.....do.....	Dec. 5, 1816	Mar. 3, 1817	
15th to 16th..... 1817–1821	John J. Crittenden	Mar. 4, 1817	Mar. 3, 1823	Resigned in 1819.
16th to 20th..... 1819–1829	Richard M. Johnson.....	Dec. 10, 1819	Mar. 3, 1829	
21st to 23d..... 1829–1835	George M. Bibb	Mar. 4, 1829	Mar. 3, 1835	
24th to 26th 1835–1841	John J. Crittenden.....	Mar. 4, 1835	Mar. 3, 1841	Resigned in 1840.
26th to 29th..... 1839–1847	James T. Morehead.....	Feb. 20, 1841	Mar. 3, 1847	
30th to 32d..... 1847–1853	Joseph R. Underwood	Mar. 4, 1847	Mar. 3, 1853	
33d to 35th..... 1853–1859	John B. Thompson.....	Mar. 4, 1853	Mar. 3, 1859	
36th to 38th..... 1859–1865	Lazarus W. Powell.....	Mar. 4, 1859	Mar. 3, 1865	
39th to 40th 1865–1869	James Guthrie.....	Mar. 4, 1865	Mar. 3, 1871	Resigned in February, 1868.
40th to 41st 1867–1871	Thomas C. McCreery	Feb. 19, 1868	.....do.....	
42d to 44th..... 1871–1877	John W. Stevenson	Mar. 4, 1871	Mar. 3, 1877	
45th to 51st 1877–1891	James B. Beck	Mar. 4, 1877	Mar. 3, 1895	Died May 5, 1890.
51st to 52d 1889–1893	John G. Carlisle.....	May 26, 1890	.....do.....	Resigned Feb. 4, 1893.
52d to 53d..... 1891–1895	William Lindsay	Feb. 14, 1893	.....do.....	
54th 1895–1897	.....do.....	.....do.....	Mar. 3, 1901	

CLASS 3.

2d to 3d..... 1791–1795	John Edwards	June 18, 1792	Mar. 3, 1795	
4th to 6th..... 1795–1801	Humphrey Marshall.....	Mar. 4, 1795	Mar. 3, 1801	
7th to 9th..... 1801–1807	John Breckinridge.....	Mar. 4, 1801	Mar. 3, 1807	Resigned in 1805.
9th 1805–1807	John Adair.....	Nov. 8, 1805	.....do.....	Resigned in 1806.
Do .....do....	Henry Clay	Nov. 19, 1806	.....do.....	
10th to 12th..... 1807–1813	John Pope	Mar. 4, 1807	Mar. 3, 1813	
13th 1813–1815	Jesse Bledsoe	Mar. 4, 1813	Mar. 3, 1819	Resigned in 1814.
13th to 15th..... 1813–1819	Isham Talbot	Jan. 3, 1815	.....do.....	

KENTUCKY (CLASS 3)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
16th 1819–1821	William Logan	Mar. 4, 1819	Mar. 3, 1825	Resigned in 1820.
16th to 18th..... 1819–1825	Isham Talbot	Oct. 19, 1820	.....do	
19th to 21st 1825–1831	John Rowan	Mar. 4, 1825	Mar. 3, 1831	
22d to 27th..... 1831–1843	Henry Clay	Mar. 4, 1831	Mar. 3, 1843	Resigned in 1842.
27th to 30th..... 1841–1849	John J. Crittenden.....	Feb. 25, 1842	Mar. 3, 1849	Resigned in 1848.
30th 1847–1849	Thomas Metcalf	June 23, 1848	Jan. 3, 1849	By governor, to fill vacancy.
Do .....do....	.....do	Jan. 3, 1849	Mar. 3, 1849	
31st to 32d..... 1849–1853	Henry Clay	Mar. 4, 1849	Mar. 3, 1855	Resigned in 1852.
32d 1851–1853	David Meriwether.....	July 6, 1852	Sept. 1, 1852	By governor, to fill vacancy.
32d to 33d 1851–1855	Archibald Dixon.....	Sept. 1, 1852	Mar. 3, 1855	
34th to 36th 1855–1861	John J. Crittenden.....	Mar. 4, 1855	Mar. 3, 1861	
37th 1861–1863	John C. Breckinridge.....	Mar. 4, 1861	Mar. 3, 1867	Expelled Dec. 4, 1861.
37th to 42d 1861–1873	Garrett Davis	Dec. 10, 1861	Mar. 3, 1873	Died Sept. 22, 1872.
42d 1871–1873	Willis B. Machen	Sept. 27, 1872	Jan. 21, 1873	By governor, to fill vacancy.
Do .....do....	.....do	Jan. 21, 1873	Mar. 3, 1873	
43d to 45th 1873–1879	Thomas C. McCreery	Mar. 4, 1873	Mar. 3, 1879	
46th to 48th..... 1879–1885	John S. Williams	Mar. 4, 1879	Mar. 3, 1885	
49th to 53d..... 1885–1895	Joseph C. S. Blackburn....	Mar. 4, 1885	Mar. 3, 1897	
54th 1895–1897	.....do	.....do	.....do	

LOUISIANA.

Class 2.

12th 1811–1813	John Noel Destréhan.....	Sept. 3, 1812	Mar. 3, 1817	Resigned in 1812.
Do ..... do....	Thomas Posey	Oct. 8, 1812	Dec. 1, 1812	By governor, to fill vacancy.
12th to 14th..... 1811–1817	James Brown	Dec. 1, 1812	Mar. 3, 1817	
15th 1817–1819	W. C. C. Claiborne.....	Mar. 4, 1817	Mar. 3, 1823	Died Nov. 23, 1817.
15th to 18th 1817–1825	Henry Johnson.....	Jan. 12, 1818	Mar. 3, 1829	Resigned in 1824.
18th to 20th..... 1823–1829	Dominique Bouligny	Nov. 19, 1824	.....do.....	
21st to 22d..... 1829–1833	Edward Livingston.....	Mar. 4, 1829	Mar. 3, 1835	Resigned in 1831.
22d to 23d..... 1831–1835	George A. Waggaman	Nov. 19, 1831	.....do.....	
24th to 26th..... 1835–1841	Robert C. Nicholas	Mar. 4, 1835	Mar. 3, 1841	
27th to 29th..... 1841–1847	Alexander Barrow	Mar. 4, 1841	Mar. 3, 1847	Died Dec. 29, 1846.
29th 1845–1847	Pierre Soulé.....	Feb. 3, 1847	.....do.....	
30th to 32d..... 1847–1853	Solomon W. Downs.....	Mar. 4, 1847	Mar. 3, 1853	
33d to 36th..... 1853–1861	Judah P. Benjamin.....	Mar. 4, 1853	Mar. 3, 1865	Retired Feb. 4, 1861.
37th to 39th..... 1861–1867	Vacant	.....	.....	State unrepresented in this class from Feb. 4, 1861, to June 25, 1868, because of civil war.
40th to 41st 1867–1871	John S. Harris.....	June 25, 1868	Mar. 3, 1871	By legislature, to fill vacancy in term beginning Mar. 4, 1865.
42d to 44th..... 1871–1877	J. Rodman West	Mar. 4, 1871	Mar. 3, 1877	
45th to 47th..... 1877–1883	William Pitt Kellogg	Mar. 4, 1877	Mar. 3, 1883	
48th to 52d..... 1883–1893	Randall Lee Gibson.....	Mar. 4, 1883	Mar. 3, 1895	Died Dec. 15, 1892.
52d to 53d..... 1891–1895	Donelson Caffery.....	Dec. 31, 1892	May 23, 1894	By governor, to fill vacancy.
53d 1893–1895	.....do	May 23, 1894	Mar. 3, 1895	
54th 1895–1897	.....do	.....	Mar. 3, 1901	

Class 3.

12th 1811–1813	Allan B. Magruder.....	Sept. 3, 1812	Mar. 3, 1813	
13th to 15th..... 1813–1819	Eligius Fromentin.....	Mar. 4, 1813	Mar. 3, 1819	

LOUISIANA (CLASS 3)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
16th to 18th.....1819–1825	James Brown	Mar. 4, 1819	Mar. 3, 1825	Resigned in December, 1823.
18th to 23d.....1823–1835	Josiah S. Johnston	Jan. 15, 1824	Mar. 3, 1837	Died in December, 1833.
23d to 24th.....1833–1837	Alexander Porter.....	Dec. 19, 1833	Mar. 3, 1837	Resigned in January, 1837.
24th to 27th.....1835–1843	Alexander Mouton	Jan. 12, 1837	Mar. 3, 1843	Resigned in 1842.
27th 1841–1843	Charles M. Conrad.....	Apr. 14, 1842	Mar. 3, 1543	
28th to 30th.....1843–1849	Henry Johnson	Mar. 4, 1843	Mar. 3, 1849	
31st to 33d 1849–1855	Pierre Soulé.....	Mar. 4, 1849	Mar. 3, 1855	Resigned in 1853.
33d to 36th.....1853–1861	John Slidell.....	Apr. 12, 1853	Mar. 3, 1861	Retired from Senate Feb. 4, 1861.
37th to 39th.....1861–1867	Vacant	.....	.....	State unrepresented in this class from Feb. 4, 1861, to June 25, 1868, because of civil war.
40th to 42d.....1867–1873	William Pitt Kellogg	June 25, 1868	Mar. 3, 1873	By legislature, to fill vacancy in term beginning Mar. 4, 1867.
43d 1873–1875	.....	.....	.....	Vacancy in this class from Mar. 4, 1873, to Feb. 10, 1877.
44th to 45th.....1875–1879	James B. Eustis.....	Feb. 10, 1877	Mar. 3, 1879	
46th to 48th.....1879–1885	Benjamin F. Jonas.....	Mar. 4, 1879	Mar. 3, 1885	
49th to 51st 1885–1891	James B. Eustis	Mar. 4, 1885	Mar. 3. 1891	
52d to 53d.....1891–1895	Edward D. White	Mar. 4, 1891	Mar. 3, 1897	Resigned, Mar. 12, 1894.
53d 1893–1895	Newton C. Blanchard.....	Mar. 12, 1894	May 23, 1894	By governor, to fill vacancy.
Do .....do	.....do	May 23, 1894	Mar. 3, 1897	
54th 1895–1897	.....do	.....	.....do	

MAINE.

CLASS 1.

16th to 19th.....1819–1827	John Holmes.....	June 13, 1820	Mar. 3, 1827	
20th.....1827–1829	Albion K. Parris.....	Mar. 4, 1827	Mar. 3, 1833	Resigned in 1828.
20th to 22d.....1827–1833	John Holmes.....	Jan. 15, 1829	.....do.....	
23d to 24th.....1833–1837	Ether Shepley.....	Mar. 4, 1833	Mar. 3, 1839	Resigned in 1836.
24th.....1835–1837	Judah Dana.....	Dec. 7, 1836	Mar. 3, 1837	By governor, to fill vacancy.
25th to 27th.....1837–1843	Ruel Williams.....	Feb. 22, 1837	Mar. 3, 1845	Resigned in 1843.
28th to 30th.....1843–1849	John Fairfield.....	Mar. 8, 1843	Mar. 3, 1851	Died Dec. 24, 1847.
30th.....1847–1849	Wyman B. S. Moor.....	Jan. 5, 1848	May 26, 1848	By governor, to fill vacancy.
30th to 34th.....1847–1857	Hannibal Hamlin.....	May 26, 1848	Mar. 3, 1857	Resigned Jan. 7, 1857.
34th.....1855–1857	Amos Nourse.....	Jan. 16, 1857	.....do.....	
35th to 36th.....1857–1861	Hannibal Hamlin.....	Mar. 4, 1857	Mar. 3, 1863	Resigned in 1861.
36th to 40th.....1859–1869	Lot M. Morrill.....	Jan. 9, 1861	Mar. 3, 1869	
41st to 46th.....1869–1881	Hannibal Hamlin.....	Mar. 4, 1869	Mar. 3, 1881	
47th to 53d.....1881–1895	Eugene Hale.....	Mar. 4, 1881	Mar. 3, 1899	
54th.....1895–1897	.....do.....	.....do.....	.....do.....	

CLASS 2.

16th to 20th.....1819–1829	John Chandler.....	June 14, 1820	Mar. 3, 1829	
21st to 23d.....1829–1835	Peleg Sprague.....	Mar. 4, 1829	Mar. 3, 1835	Resigned in 1835.
23d to 26th.....1833–1841	John Ruggles.....	Jan. 20, 1835	Mar. 3, 1841	
27th to 29th.....1841–1847	George Evans.....	Mar. 4, 1841	Mar. 3, 1847	
30th to 32d.....1847–1853	James W. Bradbury.....	Mar. 4, 1847	Mar. 3, 1853	
33d to 38th.....1853–1865	William Pitt Fessenden...	Mar. 4, 1853	Mar. 3, 1865	Resigned in 1864.
38th.....1863–1865	Nathan A. Farwell.....	Oct. 27, 1864	Jan. 11, 1865	By governor, to fill vacancy.
Do.....do.....do.....		Jan. 11, 1865	Mar. 3, 1865	

MAINE (CLASS 2)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
39th to 41st.....1865–1871	William Pitt Fessenden ...	Mar. 4, 1865	Mar. 3, 1871	Died Sept. 8, 1869.
41st to 44th.....1869–1877	Lot M. Morrill	Oct. 30, 1869	Jan. 19, 1870	By governor, to fill vacancy.
Do .....do....	.....do	Jan. 19, 1870	Mar. 3, 1877	Resigned July 7, 1876.
44th to 46th.....1875–1881	James G. Blaine.....	July 10, 1876	Jan. 16, 1877	By governor, to fill vacancy.
Do .....do....	.....do	Jan. 16, 1877	Mar. 3, 1883	Resigned in 1881.
47th to 53d 1881–1895	William P. Frye.....	Mar. 8, 1881	Mar. 3, 1895	
54th 1895–1897	.....do	.....do	Mar. 3, 1901	

MARYLAND.

CLASS 1.

1st to 2d 1789–1793	C. Carroll, of Carrollton....	Mar. 4, 1789	Mar. 3, 1797	Resigned.
2d to 4th 1791–1797	Richard Potts.....	Jan. 10, 1793	.....do.....	Resigned Mar. 1, 1796.
4th to 7th.....1795–1803	John Eager Howard.....	Nov. 30, 1796	Mar. 3, 1803	
8th to 13th.....1803–1815	Samuel Smith.....	Mar. 4, 1803	Mar. 3, 1809	
Do .....do....	.....do	Mar. 4, 1809	Nov. 16, 1809	By governor, during recess of legislature.
Do .....do....	.....do	Nov. 6, 1809	Mar. 3, 1815	
14th 1815–1817	Robert G. Harper	Jan. 29, 1816	Mar. 3, 1821	Resigned in 1816.
14th to 16th.....1815–1821	Alexander Contee Hanson.	Dec. 21, 1816	.....do.....	Died Apr. 23, 1819.
16th to 17th.....1819–1823	William Pinkney	Dec. 21, 1819	Mar. 3, 1827	Died Feb. 25, 1822.
17th to 22d 1821–1833	Samuel Smith.....	Dec. 15, 1822	Mar. 3, 1833	
23d to 25th 1833–1839	Joseph Kent	Mar. 4, 1833	Mar. 3, 1839	Died Nov. 24, 1837.

25th to 28th.....1837–1845	William D. Merrick.....	Jan. 4, 1838	Mar. 3, 1845	
29th to 31st.....1845–1851	Reverdy Johnson.....	Mar. 4, 1845	Mar. 3, 1851	Resigned in 1849.
31st.....1849–1851	David Stewart.....	Dec. 6, 1849	Jan. 12, 1850	By governor, to fill vacancy.
31st to 34th.....1849–1857	Thomas G. Pratt.....	Jan. 12, 1850	Mar. 3, 1857	
35th to 37th.....1857–1863	Andrew Kennedy.....	Mar. 4, 1857	Mar. 3, 1863	
38th to 40th.....1863–1869	Reverdy Johnson.....	Mar. 4, 1863	Mar. 3, 1869	Resigned July 10, 1868.
40th.....1867–1869	William Pinkney Whyte...	July 13, 1868	.....do.....	By governor, to fill vacancy.
41st to 43d.....1869–1875	William T. Hamilton.....	Mar. 4, 1869	Mar. 3, 1875	
44th to 46th.....1875–1881	William Pinkney Whyte...	Mar. 4, 1875	Mar. 3, 1881	
47th to 53d.....1881–1895	Arthur P. Gorman.....	Mar. 4, 1881	Mar. 3, 1899	
54th.....1895–1897	.....do.....	.....do.....	.....do.....	

CLASS 3.

1st to 5th.....1789–1799	John Henry.....	Mar. 4, 1789	Mar. 3, 1801	Resigned Dec. 10, 1797.
5th to 6th.....1797–1801	James Lloyd.....	Dec. 11, 1797	.....do.....	Resigned in 1800.
6th to 7th.....1799–1803	William Hindman.....	Dec. 12, 1800	.....do.....	
Do.....do.....	.....do.....	Mar. 4, 1801	Nov. 19, 1801	By governor, to fill vacancy.
7th to 9th.....1801–1807	Robert Wright.....	Nov. 19, 1801	Mar. 3, 1807	Resigned in 1806.
9th to 12th.....1805–1813	Philip Reed.....	Nov. 25, 1806	Mar. 3, 1813	
13th to 15th.....1813–1819	Robert H. Goldsborough...	May 21, 1813	Mar. 3, 1819	
16th to 19th.....1819–1827	Edward Lloyd.....	Dec. 21, 1819	Mar. 3, 1831	Resigned in 1826.
19th to 23d.....1825–1835	Ezekiel F. Chambers.....	Jan. 24, 1826	Mar. 3, 1837	Resigned in 1834.
23d to 24th.....1833–1837	Robert H. Goldsborough...	Jan. 13, 1835	.....do.....	Died Oct. 5, 1836.
24th to 26th.....1835–1841	John S. Spence.....	Dec. 31, 1836	Mar. 3, 1843	Died Oct. 29, 1840.
26th to 27th.....1839–1843	John Leeds Ker.....	Jan. 5, 1841	.....do.....	
28th to 37th.....1843–1863	James A. Pearce.....	Mar. 4, 1843	Mar. 3, 1867	Died Dec. 20, 1862.
37th to 38th.....1861–1865	Thomas H. Hicks.....	Dec. 29, 1862	Jan. 11, 1864	By governor, to fill vacancy.
Do.....do.....	.....do.....	Jan. 12, 1864	Mar. 3, 1867	Died Feb. 13, 1865.
38th to 39th.....1863–1867	John A. J. Cresswell.....	Feb. 14, 1865	.....do.....	

MARYLAND (CLASS 3)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
40th to 42d.....1867–1873	George Vickers.....	Mar. 4, 1867	Mar. 3, 1873	
43d to 45th.....1873–1879	George R. Dennis.....	Mar. 4, 1873	Mar. 3, 1879	
46th to 48th.....1879–1885	James B. Groome.....	Mar. 4, 1879	Mar. 3, 1885	
49th to 51st.....1885–1891	Ephraim K. Wilson.....	Mar. 19, 1885	Mar. 3, 1891	Elected for the term Mar. 3, 1891, to Mar. 3, 1897, but died Feb. 24, 1891.
52d to 53d.....1891–1895	Charles H. Gibson.....	Mar. 4, 1891	.....	By governor, to fill vacancy.
Do.....do.....	.....do.....	Feb. 10, 1892	Mar. 3, 1897	
54th.....1895–1897	.....do.....	.....do.....	.....do.....	

MASSACHUSETTS.

CLASS 1.

1st.....1789–1791	Tristam Dalton.....	Mar. 4, 1789	Mar. 3, 1791	
2d to 4th.....1791–1797	George Cabot.....	Mar. 4, 1791	Mar. 3, 1797	Resigned in 1796.
4th to 6th.....1795–1801	Benjamin Goodhue.....	July 7, 1796	Mar. 3, 1803	Resigned in 1800.
6th to 7th.....1799–1803	Jonathan Mason.....	Nov. 14, 1800	.....do.....	
8th to 10th.....1803–1809	John Quincy Adams.....	Mar. 4, 1803	Mar. 3, 1809	Resigned in 1808.
10th to 13th.....1807–1815	James Lloyd, jr.....	June 9, 1808	Mar. 3, 1815	Resigned in 1813.
13th to 14th.....1813–1817	Christopher Gore.....	May 5, 1813	May 29, 1813	By governor, to fill vacancy.
Do.....do.....	.....do.....	May 29, 1813	Mar. 3, 1821	Resigned in 1816.
14th to 15th.....1815–1819	Eli P. Ashmun.....	June 12, 1816	.....do.....	Resigned in 1818.
15th to 16th.....1817–1821	Prentiss Mellen.....	June 5, 1818	.....do.....	Resigned in 1820.
16th to 19th.....1819–1827	Elijah H. Mills.....	Jan. 12, 1820	Mar. 3, 1827	
20th to 26th.....1827–1841	Daniel Webster.....	Mar. 4, 1827	Mar. 3, 1845	Resigned in 1841.

26th to 28th....1839–1845	Rufus Choate	Feb. 23, 1841	.....do.....	
29th to 31st....1845–1851	Daniel Webster	Mar. 4, 1845	Mar. 3, 1851	Resigned July 22, 1850.
31st....1849–1851	Robert C. Winthrop	July 27, 1850	Feb. 1, 1851	By governor, to fill vacancy.
Do....do....	Robert Rantoul	Feb. 1, 1851	Mar. 3, 1851	
32d to 43d....1851–1875	Charles Sumner	Mar. 4, 1851	Mar. 3, 1875	Died Mar. 11, 1874.
43d....1873–1875	William B. Washburn	Mar. 12, 1874	.....do.....	
44th to 52d....1875–1893	Henry L. Dawes	Mar. 4, 1875	Mar. 3, 1893	
53d....1893–1895	Henry Cabot Lodge	Mar. 4, 1893	Mar. 3, 1899	
54th....1895–1897	.....do.....	.....do.....	.....do.....	

CLASS 2.

1st to 4th....1789–1797	Caleb Strong	Mar. 4, 1789	Mar. 3, 1799	Resigned in 1796.
4th to 5th....1795–1799	Theodore Sedgwick	June 11, 1796	.....do.....	
6th....1799–1801	Samuel Dexter	Mar. 4, 1799	Mar. 3, 1805	Resigned in 1800.
6th to 7th....1799–1803	Dwight Foster	June 6, 1800	.....do.....	Resigned in 1803.
7th to 11th....1801–1811	Timothy Pickering	Mar. 2, 1803	Mar. 3, 1811	
12th to 14th....1811–1817	Joseph B. Varnum	Mar. 4, 1811	Mar. 3, 1817	
15th to 17th....1817–1823	Harrison Gray Otis	Mar. 4, 1817	Mar. 3, 1823	Resigned in 1822.
17th to 19th....1821–1827	James Lloyd	June 5, 1822	Mar. 3, 1829	Resigned in 1826.
19th to 23d....1825–1835	Nathaniel Silsbee	May 21, 1826	Mar. 3, 1835	
24th to 26th....1835–1841	John Davis	Mar. 4, 1835	Mar. 3, 1841	Resigned in 1840.
26th to 29th....1839–1847	Isaac C. Bates	Jan. 13, 1841	Mar. 3, 1847	Died Mar. 16, 1845.
29th to 32d....1845–1853	John Davis	Mar. 24, 1845	Mar. 3, 1853	
33d....1853–1855	Edward Everett	Mar. 4, 1853	Mar. 3, 1859	Resigned June 1, 1854.
Do....do....	Julius Rockwell	June 3, 1854	Jan. 30, 1855	By governor, to fill vacancy.
33d to 42d....1853–1873	Henry Wilson	Jan. 31, 1855	Mar. 3, 1877	Resigned in March, 1873.
43d to 44th....1873–1877	George S. Boutwell	Mar. 2, 1873	.....do.....	
45th to 53d....1877–1895	George F. Hoar	Mar. 4, 1877	Mar. 3, 1895	
54th....1895–1897	.....do.....	.....do.....	Mar. 3, 1901	

MICHIGAN.

CLASS 1.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
24th to 25th.....1835–1839	Lucius Lyon	Nov. 10, 1835	Mar. 3, 1839	Attended Jan. 26, 1837.
26th to 28th.....1839–1845	Agustus S. Porter.....	Mar. 4, 1839	Mar. 3, 1845	
29th to 30th.....1845–1849	Lewis Cass.....	Mar. 4, 1845	Mar. 3, 1851	Resigned in 1848.
30th 1847–1849	Thomas Fitzgerald.....	June 8, 1848	Jan. 20, 1849	By governor, to fill vacancy.
30th to 34th.....1847–1857	Lewis Cass	Jan. 20, 1849	Mar. 3, 1857	
35th to 43d.....1857–1875	Zachariah Chandler	Mar. 4, 1857	Mar. 3, 1875	
44th to 45th.....1875–1879	Isaac P. Christiancy	Mar. 4, 1875	Mar. 3, 1881	Resigned in 1879.
45th 1877–1879	Zachariah Chandler	Feb. 19, 1879	.....do.....	Died Nov. 1, 1879.
45th to 46th.....1877–1881	Henry P. Baldwin	Nov. 17, 1879	Jan. 19, 1881	By governor, to fill vacancy.
Do.....do....	.....do.....	Jan. 18, 1881	Mar. 3, 1881	
47th to 49th.....1881–1887	Omar D. Conger	Mar. 4, 1881	Mar. 3, 1887	
50th to 53d.....1887–1895	Francis B. Stockbridge....	Mar. 4, 1887	Mar. 3, 1899	Died Apr. 30, 1894.
53d 1893–1895	John Patton, Jr	May 5, 1894	Jan. 15, 1895	By governor, to fill vacancy.
53d 1893–1895	Julius C. Burrows.....	Jan. 15, 1895	Mar. 3, 1899	
54th 1895–1897	.....do.....	.....do.....	.....do.....	

CLASS 2.

24th to 26th.....1835–1841	John Norvell.....	Nov. 10, 1835	Mar. 3, 1841	Attended Jan. 26, 1837.
27th to 29th.....1841–1847	William Woodbridge	Mar. 4, 1841	Mar. 3, 1847	
30th to 32d.....1847–1853	Alpheus Felch	Mar. 4, 1847	Mar. 3, 1853	
33d to 35th.....1853–1859	Charles E. Stuart	Mar. 4, 1853	Mar. 3, 1859	
36th to 37th.....1859–1863	Kingsley S. Bingham.....	Mar. 4, 1859	Mar. 3, 1865	Died Oct. 5, 1861.
37th to 41st.....1861–1871	Jacob M. Howard.....	Oct. 6, 1861	Mar. 3, 1871	

42d to 47th.....1871–1883	Thomas W. Ferry.....	Mar. 4, 1871	Mar. 3, 1883	
48th to 50th.....1883–1889	Thomas W. Palmer.....	Mar. 4, 1883	Mar. 3, 1889	
51st to 53d.....1889–1895	James McMillan.....	Mar. 4, 1889	Mar. 3, 1895	
54th.....1895–1897	.....do.....	.....do.....	Mar. 3, 1901	

MINNESOTA.

CLASS 1.

35th to 37th.....1857–1863	Henry M. Rice.....	May 12, 1858	Mar. 3, 1863	
38th to 43d.....1863–1875	Alexander Ramsey.....	Mar. 4, 1863	Mar. 3, 1875	
44th to 49th.....1875–1887	Samuel J. R. McMillan.....	Mar. 4, 1875	Mar. 3, 1887	
50th to 53d.....1887–1895	Cushman K. Davis.....	Mar. 4, 1887	Mar. 3, 1899	
54th.....1895–1897	.....do.....	.....do.....	.....do.....	

CLASS 2.

35th.....1857–1859	James Shields.....	May 12, 1858	Mar. 3. 1859	
36th to 38th.....1859–1865	Morton S. Wilkinson.....	Mar. 4, 1859	Mar. 3, 1865	
39th to 41st.....1865–1871	Daniel S. Norton.....	Mar. 4, 1865	Mar. 3, 1871	Died July 13, 1870.
41st.....1869–1871	William Windom.....	July 16, 1870	Jan. 18, 1871	By governor, to fill vacancy.
Do.....do....	Ozora P. Stearns.....	Jan. 18, 1871	Mar. 3, 1871	
42d to 47th.....1871–1883	William Windom.....	Mar. 4, 1871	Mar. 3, 1883	Resigned in March, 1881.
47th.....1881–1883	A. J. Edgerton.....	Mar. 14, 1881	Oct. 26, 1881	By governor, to fill vacancy.
Do.....do....	William Windom.....	Oct. 26, 1881	Mar. 3, 1883	
48th to 50th.....1883–1889	Dwight May Sabin.....	Mar. 4, 1883	Mar. 3, 1889	
51st to 53d.....1889–1895	William D. Washburn.....	Mar. 4, 1889	Mar. 3, 1895	
54th.....1895–1897	Knute Nelson.....	Mar. 4, 1895	Mar. 3, 1901	

MISSISSIPPI.

CLASS 1.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
15th to 16th.....1817–1821	Walter Leake.....	Oct. 9, 1817	Mar. 3, 1821	Resigned in 1820.
16th to 19th.....1819–1827	David Holmes	Aug. 30, 1820	.....do.....	By governor to fill vacancy.
Do .....do....	.....do	Mar. 4, 1821	Mar. 3, 1827	Resigned in 825.
19th 1825–1827	Powhatan Ellis	Sept. 28, 1825	Jan. 28, 1826	By governor, to fill vacancy.
Do .....do....	Thomas B. Reed.....	Jan. 28, 1826	Mar. 3, 1827	
20th to 22d.....1827–1833	Powhatan Ellis	Mar. 4, 1827	Mar. 3, 1833	Resigned in 1832.
22d to 25th 1831–1839	John Black.....	Nov. 12, 1832	.....do.....	By governor, to fill vacancy.
Do .....do....	.....do	Mar. 4, 1833	Mar. 3, 1839	Resigned in 1838.
25th 1837–1839	James F. Trotter.....	Jan. 22, 1838	.....do.....	Do.
Do .....do....	Thomas H. Williams	Nov. 12, 1838	Jan. 30, 1839	By governor, to fill vacancy.
Do .....do....	.....do	Jan. 30, 1839	Mar. 3, 1839	
26th to 28th.....1839–1845	John Henderson.....	Mar. 4, 1839	Mar. 3, 1845	
29th to 30th.....1845–1849	Jesse Speight	Mar. 4, 1845	Mar. 3, 1851	Died May 5, 1847.
30th to 32d.....1847–1853	Jefferson Davis	Aug. 10, 1847	Jan. 11, 1848	By governor, to fill vacancy.
Do .....do....	.....do	Jan. 11, 1848	Mar. 3, 1857	Resigned.
32d 1851–1853	John J. McRae.....	Dec. 1, 1851	Feb. 19, 1852	By governor, to fill vacancy.
32d to 34th.....1851–1857	Stephen Adams.....	Feb. 19, 1852	Mar. 3, 1857	
35th to 36th.....1857–1861	Jefferson Davis	Mar. 4, 1857	Mar. 3, 1863	Retired from the Senate Jan. 14, 1861.
37th to 40th.....1861–1869	Vacant	.....	.....	State unrepresented in this class from Jan. 14, 1861, to Feb. 23, 1870, in consequence of civil war.
41st to 43d.....1869–1875	Adelbert Ames.....	Feb. 23, 1870	Mar. 3, 1875	By legislature, to fill term beginning Mar. 4, 1869; resigned in 1874.
43d 1873–1875	Henry R. Pease.....	Jan. 23, 1874	.....do.....	
44th to 46th.....1875–1881	Blanche K. Bruce.....	Mar. 4, 1875	Mar. 3, 1881	

47th to 53d.....1881–1895	James Z. George.....	Mar. 4, 1881	Mar. 3, 1899	
54th 1895–1897	.....do.....	.....do.....	.....do.....	

CLASS 2.

15th to 20th.....1817–1829	Thomas H. Williams.....	Oct. 9, 1817	Mar. 3, 1829	
21st.....1829–1831	Thomas B. Reed	Mar. 4, 1829	Mar. 3, 1835	Died Nov. 26, 1829.
21st.....1829–1831	Robert H. Adams.....	Jan. 6, 1830	.....do.....	Died July 2, 1830.
21st to 23d 1829–1835	George Poindexter.....	Oct. 15, 1830	Nov. 18, 1830	By governor, to fill vacancy.
Do.....do	.....do.....	Nov. 18, 1830	Mar. 3, 1835	
24th to 29th.....1835–1847	Robert J. Walker.....	Mar. 4, 1835	Mar. 3, 1847	Resigned in 1845.
29th 1845–1847	Joseph W. Chalmers.....	Nov. 3, 1845	Jan. 10, 1846	By governor, to fill vacancy.
Do.....do	.....do.....	Jan. 10, 1846	Mar. 3, 1847	
30th to 32d.....1847–1853	Henry Stuart Foote.....	Mar. 4, 1847	Mar. 3, 1853	Resigned in 1852.
32d 1851–1853	Walter Brooke.....	Feb. 18, 1852	.....do.....	
33d to 36th.....1853–1861	Albert G. Brown.....	Mar. 4, 1853	Mar. 3, 1865	Retired from the Senate Jan. 14, 1861.
37th to 40th.....1861–1869	Vacant	.....	.....	State unrepresented in this class from Jan. 14, 1861, to Feb. 23, 1870, in consequence of civil war.
41st.....1869–1871	Hiram R. Revels.....	Feb. 23, 1870	Mar. 3, 1871	By legislature, to fill vacancy beginning Mar. 4, 1865.
42d to 44th.....1871–1877	James Lusk Alcorn	Mar. 4, 1871	Mar. 3, 1877	
45th to 49th.....1877–1887	L. Q. C. Lamar.....	Mar. 4, 1877	Mar. 3, 1889	Resigned Mar. 6, 1885.
49th to 53d.....1885–1895	Edward C. Walthall.....	Mar. 12, 1885	Jan. 20, 1886	By governor, to fill vacancy.
Do.....do ...	.....do.....	Jan. 20, 1886	Mar. 3, 1895	Resigned Jan. 24, 1894.
53d 1893–1895	A. J. McLaurin	Feb. 7, 1894	.....do.....	
54th 1895–1897	Edward C. Walthall	Mar. 4, 1895	Mar. 3, 1901	

MISSOURI.

CLASS 1.

17th to 31st 1821–1851	Thomas H. Benton.....	Oct. 2, 1820	Mar. 3, 1851	
32d to 34th.....1851–1857	Henry S. Geyer.....	Mar. 4, 1851	Mar. 3, 1857	

MISSOURI (CLASS 1)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
35th to 37th.....1857–1863	Trusten Polk.....	Mar. 4, 1857	Mar. 3, 1863	Expelled Jan. 10, 1862.
37th to 40th.....1861–1869	John B. Henderson	Jan. 17, 1862	Jan. 6, 1863	By governor, to fill vacancy.
Do .....do....	.....do	Jan. 6, 1863	Mar. 3, 1869	
41st to 43d 1869–1875	Carl Schurz	Mar. 4, 1869	Mar. 3, 1875	
44th to 53d.....1875–1895	Francis M. Cockrell.....	Mar. 4, 1875	Mar. 3, 1899	
54th 1895–1897	.....do	.....do	.....do	

CLASS 3.

17th to 21st 1821–1831	David Barton	Oct. 2, 1820	Mar. 3, 1831	
22d to 23d.....1831–1835	Alexander Buckner.....	Mar. 4, 1831	Mar. 3, 1837	Died June 15, 1833.
23d to 28th.....1833–1845	Lewis F. Linn.....	Oct. 25, 1833	Nov. 20, 1834	By governor, to fill vacancy.
Do .....do....	.....do	Nov. 20, 1834	Mar. 3, 1849	Died Oct. 3, 1843.
28th to 33d.....1843–1855	David R. Atchison	Oct. 15, 1843	Nov. 20, 1844	By governor, to fill vacancy.
Do .....do....	.....do	Nov. 20, 1844	Mar. 3, 1855	
34th to 36th.....1855–1861	James S. Green	Jan. 12, 1857	Mar. 3, 1861	This class was unrepresented from Mar. 4, 1855, to Jan. 12, 1857.
37th 1861–1863	Waldo P. Johnson.....	Mar. 4, 1861	Jan. 10, 1862	Expelled from the Senate Jan. 10, 1862. This class was unrepresented from Jan. 10 to Jan. 17, 1862.
37th 1861–1863	Robert Wilson	Jan. 17, 1862	Nov. 13, 1863	By governor, to fill vacancy.
38th to 39th.....1863–1867	B. Gratz Brown	Nov. 13, 1863	Mar. 3, 1867	
40th to 41st 1867–1871	Charles D. Drake.....	Mar. 4, 1867	Mar. 3, 1873	Resigned Dec. 19, 1870.
41st 1869–1871	Daniel T. Jewett.....	Dec. 19, 1870	June 20, 1871	By governor, to fill vacancy.
41st to 42d 1869–1873	Francis P. Blair, jr.....	June 20, 1871	Mar. 3, 1873	

43d to 45th.....1873–1879	Lewis V. Bogy.....	Mar. 4, 1873	Mar. 3, 1879	Died Sept. 20, 1877.
45th 1877–1879	David H. Armstrong.....	Sept. 29, 1877	Jan. 24, 1879	By governor, to fill vacancy.
Do .....do....	James Shields.....	Jan. 24, 1879	Mar. 3, 1879	
46th to 53d.....1879–1895	George G. Vest.....	Mar. 4, 1879	Mar. 3, 1897	
54th 1895–1897	.....do	.....do	.....do.....	

MONTANA.

CLASS 1.

51st to 52d.....1889–1893	Wilbur F. Sanders.....	Jan. 1, 1890	Mar. 3, 1893	
53d 1893–1895	Lee Mantle	Jan. 16, 1895	Mar. 3, 1899	This class was unrepresented from Mar. 4, 1893, to Jan. 16, 1895, on account of failure of legislature to elect.
54th 1895–1897	.....do	.....do.....	.....do.....	

CLASS 2.

51st to 53d.....1889–1895	Thomas C. Power.....	Jan. 2, 1890	Mar. 3, 1895	
54th 1895–1897	Thomas H. Carter.....	Mar. 4, 1895	Mar. 3, 1901	

NEBRASKA.

CLASS 1.

40th to 43d.....1867–1875	Thomas W. Tipton.....	Mar. 4, 1867	Mar. 3, 1875	
44th to 46th.....1875–1881	Algernon S. Paddock.....	Mar. 4, 1875	Mar. 3, 1881	
47th to 49th.....1881–1887	Charles H. Van Wyck.....	Mar. 4, 1881	Mar. 3, 1887	
50th to 52d.....1887–1893	Algernon S. Paddock.....	Mar. 4, 1887	Mar. 3, 1893	
53d 1893–1895	William Vincent Allen	Mar. 4, 1893	Mar. 3, 1899	
54th 1895–1897	.....do	.....do.....	.....do.....	

NEBRASKA—Continued.

CLASS 2.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
40th to 41st 1867–1871	John M. Thayer.....	Mar. 4, 1867	Mar. 3, 1871	
42d to 44th..... 1871–1877	Phineas W. Hitchcock	Mar. 4, 1871	Mar. 3, 1877	
45th to 47th..... 1877–1883	Alvin Saunders	Mar. 4, 1877	Mar. 3, 1883	
48th to 53d 1883–1895	Charles F. Manderson.....	Mar. 4, 1883	Mar. 3, 1895	
54th 1895–1897	John M. Thurston.....	Mar. 4, 1895	Mar. 3, 1901	

NEVADA.

CLASS 1.

38th to 43d 1863–1875	William M. Stewart.....	Dec. 15, 1864	Mar. 3, 1875	
44th to 46th..... 1875–1881	William Sharon	Mar. 4, 1875	Mar. 3, 1881	
47th to 49th..... 1881–1887	James G. Fair.....	Mar. 4, 1881	Mar. 3, 1887	
50th to 53d 1887–1895	William M. Stewart.....	Mar. 4, 1887	Mar. 3, 1899	
54th 1895–1897	.....do	.....do	.....do	

CLASS 3.

38th to 42d 1863–1873	James W. Nye	Dec. 16, 1864	Mar. 3, 1873	
43d to 53d..... 1873–1895	John P. Jones.....	Mar. 4, 1873	Mar. 3, 1897	
54th 1895–1897	.....do	.....do	.....do	

NEW HAMPSHIRE.

CLASS 2.

1st to 2d 1789–1793	Paine Wingate.....	Mar. 4, 1789	Mar. 3, 1793	
3d to 7th 1793–1803	Samuel Livermore.....	Mar. 4, 1793	Mar. 3, 1805	Resigned in 1801.
7th to 8th..... 1801–1805	Simeon Olcott.....	June 17, 1801	.....do	
9th to 13th..... 1805–1815	Nicholas Gilman.....	Mar. 4, 1805	Mar. 3, 1817	Died May 3, 1814.
13th to 14th..... 1813–1817	Thomas W. Thompson.....	June 24, 1814	.....do	
15th to 17th..... 1817–1823	David L. Morrill.....	Mar. 4, 1817	Mar. 3, 1823	
18th to 23d 1823–1835	Samuel Bell.....	Mar. 4, 1823	Mar. 3, 1835	
24th to 26th..... 1835–1841	Henry Hubbard.....	Mar. 4, 1835	Mar. 3, 1841	
27th to 29th..... 1841–1847	Levi Woodbury	Mar. 4, 1841	Mar. 3, 1847	Resigned in 1845.
29th 1845–1847	Benning W. Jenness.....	Nov. 12, 1845	June 13, 1846	By governor, to fill vacancy.
Do.....do	Joseph Cilley	June 13, 1846	Mar. 3, 1847	
30th to 32d..... 1847–1853	John P. Hale.....	Mar. 4, 1847	Mar. 3, 1853	
33d 1853–1855	Charles G. Atherton	Mar. 4, 1853	Mar. 3, 1859	Died Nov. 15, 1853.
Do.....do	Jared W. Williams.....	Nov. 29, 1853	Mar. 3, 1855	By governor, to fill vacancy.
34th to 38th..... 1855–1865	John P. Hale.....	July 30, 1855	Mar. 3, 1865	
39th to 44th..... 1865–1877	Aaron H. Cragin.....	Mar. 4, 1865	Mar. 3, 1877	
45th to 47th..... 1877–1883	Edward H. Rollins	Mar. 4, 1877	Mar. 3, 1883	
48th to 49th..... 1883–1887	Austin F. Pike.....	Mar. 4, 1883	Mar. 3, 1889	Died Oct. 8, 1886.
49th to 50th..... 1885–1889	Person C. Cheney.....	Dec. 7, 1886	June 14, 1887	By governor, to fill vacancy.
50th 1887–1889	William E. Chandler	June 14, 1887	Mar. 3, 1889	
51st..... 1889–1891	Gilman E. Marston.....	Mar. 5, 1889	June 19, 1889	By governor, to fill vacancy during recess of legislature.
51st to 53d..... 1889–1895	William E. Chandler	June 19, 1889	Mar. 3, 1895	
54th 1895–1897	.....do	.....do	Mar. 3, 1901	

NEW HAMPSHIRE—Continued.

CLASS 3.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
1st to 6th 1789–1801	John Langdon.....	Mar. 4, 1789	Mar. 3, 1801	
7th 1801–1803	James Sheafe	Mar. 4, 1801	Mar. 3, 1807	Resigned in 1802.
7th to 9th..... 1801–1807	William Plumer	June 17, 1802	.....do	
10th to 11th..... 1807–1811	Nahum Parker.....	Mar. 14, 1807	Mar. 3, 1813	Resigned in 1810.
11th to 13th..... 1809–1815	Charles Cutts	June 21, 1810	.....do	
Do ....do....	.....do	Apr. 2, 1813	June 10, 1813	By governor, to fill vacancy during recess of legislature.
13th to 15th..... 1813–1819	Jeremiah Mason	June 10, 1813	Mar. 3, 1819	Resigned in 1817.
15th 1817–1819	Clement Storer	June 27, 1817	.....do	
16th to 18th..... 1819–1825	John F. Parrott	Mar. 4, 1819	Mar. 3, 1825	
19th to 21st..... 1825–1831	Levi Woodbury	Mar. 4, 1825	Mar. 3, 1831	
22d to 24th 1831–1837	Isaac Hill.....	Mar. 4, 1831	Mar. 3, 1837	Resigned in 1836.
24th 1835–1837	John Page	June 8, 1836	.....do	
25th to 27th..... 1837–1843	Franklin Pierce	Mar. 4, 1837	Mar. 3, 1843	Resigned in 1842.
27th 1841–1843	Leonard Wilcox	Mar. 1, 1842	June 9, 1842	By governor, to fill vacancy.
Do ....do....	.....do	June 9, 1842	Mar. 3, 1843	
28th to 30th..... 1843–1849	Charles G. Atherton	Mar. 4, 1843	Mar. 3, 1849	
31st to 33d..... 1849–1855	Moses Norris, jr.....	Mar. 4, 1849	Mar. 3, 1855	Died Jan. 11, 1855.
33d 1853–1855	John S. Wells	Jan. 16, 1855	.....do	By governor, to fill vacancy.
34th to 35th..... 1855–1859	James Bell	July 30, 1855	Mar. 3, 1861	Died May 26, 1857.
35th to 39th..... 1857–1867	Daniel Clark.....	June 27, 1857	Mar. 3, 1867	Resigned July, 1866.
39th 1865–1867	George G. Fogg	Aug. 31, 1866	.....do	By governor, to fill vacancy.
40th to 42d 1867–1873	James W. Patterson.....	Mar. 4, 1867	Mar. 3, 1873	
43d to 45th 1873–1879	Bainbridge Wadleigh.....	Mar. 4, 1873	Mar. 3, 1879	

46th 1879–1881	Charles H. Bell.....	Mar. 13, 1879	June 17, 1879	By governor, to fill vacancy caused by expiration of term of B. Wadleigh, and no election.
46th to 51st 1879–1891	Henry W. Blair	June 20, 1879	Mar. 3, 1885	
Do ..... do....	.....do	Mar. 5, 1885	June 16, 1885	By governor; no election.
Do ..... do....	.....do	June 16, 1885	Mar. 3, 1891	
52d to 53d 1891–1895	Jacob H. Gallinger	Mar. 4, 1891	Mar. 3, 1897	
54th 1895–1897	.....do	.....do	.....do	

NEW JERSEY.

CLASS 1.

1st..... 1789–1791	Jonathan Elmer	Mar. 4, 1789	Mar. 3, 1791	
2d to 5th..... 1791–1799	John Rutherford.....	Mar. 4, 1791	Mar. 3, 1803	Resigned February, 1798.
5th 1797–1799	Franklin Davenport.....	Dec. 5, 1798	Feb. 14, 1799	By governor, to fill vacancy.
5th to 6th..... 1797–1801	James Schureman	Feb. 14, 1799	Mar. 3, 1803	Resigned in 1800.
6th to 7th..... 1799–1803	Aaron Ogden	Feb. 26, 1801	.....do	
8th to 10th..... 1803–1809	John Condit.....	Sept. 1, 1803	Nov. 3, 1803	By governor, during recess of legislature.
Do ..... do....	.....do	Nov. 3, 1803	Mar. 3, 1809	
11th to 13th..... 1809–1815	John Lambert	Mar. 4, 1809	Mar. 3, 1815	
14th to 16th..... 1815–1821	James J. Wilson.....	Mar. 4, 1815	Mar. 3, 1821	Resigned in 1821.
16th to 18th..... 1819–1825	Samuel L. Southard.....	Jan. 26, 1821	.....do	By governor, to fill vacancy.
Do ..... do....	.....do	Mar. 4, 1821	Mar. 3, 1827	Resigned in 1823.
18th to 19th..... 1823–1827	Joseph McIlvaine.....	Nov. 12, 1823	.....do	Died Aug. 19, 1826.
19th to 20th..... 1825–1829	Ephraim Bateman.....	Nov. 10, 1826	Mar. 3, 1833	Resigned in January, 1829.
20th to 22d..... 1827–1833	Mahlon Dickerson.....	Jan. 30, 1829	.....do	
23d to 27th..... 1833–1843	Samuel L. Southard.....	Mar. 4, 1833	Mar. 3, 1845	Died June 26, 1842.
27th to 31st..... 1841–1851	William L. Dayton.....	July 2, 1842	Oct. 28, 1842	By governor, to fill vacancy.
Do..... do	.....do	Oct. 28, 1842	Mar. 3, 1851	
23d 1851–1853	Robert F. Stockton	Mar. 4, 1851	Mar. 3, 1857	Resigned in 1853.

NEW JERSEY (CLASS 1)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
33d to 37th.....1853–1863	John R. Thomson.....	Mar. 4, 1853	Mar. 3, 1863	Died Sept. 12, 1862.
37th 1861–1863	Richard S. Field	Nov. 21, 1862	Jan. 14, 1863	By governor, to fill vacancy.
Do..... .....do	James W. Wall.....	Jan. 14, 1863	Mar. 3, 1863	
38th to 39th.....1863–1867	William Wright.....	Mar. 4, 1863	Mar. 3, 1869	Died Nov. 1, 1866.
39th to 40th.....1865–1869	Fred'k T. Frelinghuysen..	Nov. 12, 1866	Jan. 23, 1867	By governor, to fill vacancy.
Do.....do	.....do.....	Jan. 23, 1867	Mar. 3, 1869	
41st to 43d 1869–1875	John P. Stockton.....	Mar. 4, 1869	Mar. 3, 1875	
44th to 46th.....1875–1881	Theodore F. Randolph	Mar. 4, 1875	Mar. 3, 1881	
47th to 49th.....1881–1887	William J. Sewell.....	Mar. 4, 1881	Mar. 3, 1887	
50th to 52d.....1887–1893	Rufus Blodgett.....	Mar. 4, 1887	Mar. 3, 1893	
53d 1893–1895	James Smith, jr.....	Mar. 4, 1893	Mar. 3, 1899	
54th 1895–1897	.....do	.....do.....	.....do.....	

CLASS 2.

1st.....1789–1791	William Paterson.....	Mar. 4, 1789	Mar. 3, 1793	Resigned in 1790.
1st to 2d 1789–1793	Philemon Dickinson.....	Nov. 23, 1790	.....do.....	
3d to 4th.....1793–1797	Frederick Frelinghuysen.	Mar. 4, 1793	Mar. 3, 1799	Resigned in 1796.
4th to 5th.....1795–1799	Richard Stockton.....	Nov. 12, 1796	.....do.....	
6th to 8th.....1799–1805	Jonathan Dayton.....	Mar. 4, 1799	Mar. 3, 1805	
9th to 10th.....1805–1809	Aaron Kitchell.....	Mar. 4, 1805	Mar. 3, 1811	Resigned in 1809.
11th to 14th.....1809–1817	John Condit.....	Mar. 21, 1809	Nov. 2, 1809	By governor, to fill vacancy.
Do ....do....	.....do.....	Nov. 2, 1809	Mar. 3, 1817	
15th to 20th.....1817–1829	Mahlon Dickerson.....	Mar. 4, 1817	Mar. 3, 1829	

21st to 23d.....1829–1835	Theodore Frelinghuysen..	Mar. 4, 1829	Mar. 3, 1835	
24th to 26th.....1835–1841	Garret D. Wall.....	Mar. 4, 1835	Mar. 3, 1841	
27th to 32d.....1841–1853	Jacob W. Miller.....	Mar. 4, 1841	Mar. 3, 1853	
33d to 35th.....1853–1859	William Wright.....	Mar. 4, 1853	Mar. 3, 1859	
36th to 38th.....1859–1865	John C. Ten Eyck.....	Mar. 4, 1859	Mar. 3, 1865	
39th 1865–1867	John P. Stockton.....	Mar. 4, 1865	Mar. 3, 1871	Seat declared vacant Mar. 27, 1866.
39th to 41st 1865–1871	Alexander G. Cattell.....	Mar. 29, 1866	.....do.....	To fill unexpired term of J. P. Stockton, unseated.
42d to 44th.....1871–1877	Fred'k T. Frelinghuysen..	Mar. 4, 1871	Mar. 3, 1877	
45th to 53d.....1877–1895	John R. McPherson.....	Mar. 4, 1877	Mar. 3, 1895	
54th 1895–1897	William J. Sewell.....	Mar. 4, 1895	Mar. 3, 1901	

NEW YORK.

CLASS 1.

1st.....1789–1791	Philip Schuyler.....	July 15, 1789	Mar. 3, 1791	
2d to 4th.....1791–1797	Aaron Burr.....	Mar. 4, 1791	Mar. 3, 1797	
5th 1797–1799	Philip Schuyler.....	Mar. 4, 1797	.....	Declined nomination.
Do .....do....	John Sloss Hobart	Jan. 11, 1798	Mar. 3, 1803	Resigned April, 1798.
Do .....do....	William North.....	May 5, 1798	Aug. 17, 1798	By governor, to fill vacancy.
5th to 6th.....1797–1801	James Watson	Aug. 17, 1798	Mar. 3, 1803	Resigned in 1800.
6th to 7th.....1799–1803	Gouverneur Morris.....	Apr. 3, 1800	.....do.....	
8th 1803–1805	Theodorus Bailey.....	Mar. 4, 1803	Mar. 3, 1809	Resigned in 1804.
Do .....do....	John Armstrong	Feb. 4, 1804	.....do.....	Do.
8th to 10th.....1803–1809	Samuel L. Mitchell.....	Nov. 9, 1804	.....do.....	
11th to 13th.....1809–1815	Obadiah German	Mar. 4, 1809	Mar. 3, 1815	
14th to 16th.....1815–1821	Nathan Sanford	Mar. 4, 1815	Mar. 3, 1821	
17th to 20th.....1821–1829	Martin Van Buren.....	Mar. 4, 1821	Mar. 3, 1833	Resigned in 1828.
20th to 22d.....1827–1833	Charles E. Dudley.....	Jan. 11, 1829	.....do.....	

NEW YORK (CLASS 1)—Continued.

Congress	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
23d to 28th.....1833–1845	Nathaniel P. Tallmadge...	Mar. 4, 1833	Mar. 3, 1845	Resigned in 1844.
28th to 31st.....1843–1851	Daniel S. Dickinson.....	Nov. 30, 1844	Jan. 18, 1845	By governor, to fill vacancy.
Do.....do....	.... do.....	Jan. 18, 1845	Mar. 3, 1851	
32d to 34th.....1851–1857	Hamilton Fish.....	Mar. 4, 1851	Mar. 3, 1857	
35th to 37th.....1857–1863	Preston King.....	Mar. 4, 1857	Mar. 3, 1863	
38th to 40th.....1863–1869	Edwin D. Morgan.....	Mar. 4, 1863	Mar. 3, 1869	
41st to 43d.....1869–1875	Reuben E. Fenton.....	Mar. 4, 1869	Mar. 3, 1875	
44th to 46th.....1875–1881	Francis Kernan.....	Mar. 4, 1875	Mar. 3, 1881	
47th.....1881–1883	Thomas C. Platt.....	Mar. 4, 1881	Mar. 3, 1887	Resigned May 16, 1881.
47th to 49th.....1881–1887	Warner Miller.....	July 16, 1881	.....do.....	
50th to 52d.....1887–1893	Frank Hiscock.....	Mar. 4, 1887	Mar. 3, 1893	
53d.....1893–1895	Edward Murphy, jr.....	Mar. 4, 1893	Mar. 3, 1899	
54th.....1895–1897	.....do.....	.....do.....	.....do.....	

CLASS 3.

1st to 4th.....1789–1797	Rufus King.....	July 16, 1789	Mar. 3, 1801	Resigned.
4th to 6th.....1795–1801	John Lawrence.....	Nov. 9, 1796	.....do.....	Resigned in 1800.
6th to 7th.....1799–1803	John Armstrong.....	Nov. 6, 1800	Mar. 3, 1807	Resigned in 1802.
7th to 8th.....1801–1805	De Witt Clinton.....	Feb. 9, 1802	.....do.....	Resigned in 1803.
8th.....1803–1805	John Armstrong.....	Nov. 10, 1803	Feb. 4, 1804	By governor, to fill vacancy.
8th to 12th.....1803–1813	John Smith.....	Feb. 4, 1804	Mar. 3, 1813	
13th to 18th.....1813–1825	Rufus King.....	Mar. 4, 1813	Mar. 3, 1825	
19th to 21st.....1825–1831	Nathan Sanford.....	Mar. 4, 1825	Mar. 3, 1831	

22d 1831–1833	William L. Marcy.....	Mar. 4, 1831	Mar. 3, 1837	Resigned in 1832.
22d to 28th..... 1831–1845	Silas Wright, jr	Jan. 4, 1833	Mar. 3, 1849	Resigned in 1844.
28th 1843–1845	Henry A. Foster	Nov. 30, 1844	Jan. 18, 1845	By governor, to fill vacancy.
28th to 30th..... 1843–1849	John A. Dix.....	Jan. 18, 1845	Mar. 3, 1849	
31st to 36th 1849–1861	William H. Seward	Mar. 4, 1849	Mar. 3, 1861	
37th to 39th..... 1861–1867	Ira Harris	Mar. 4, 1861	Mar. 3, 1867	
40th to 47th..... 1867–1883	Roscoe Conkling.....	Mar. 4, 1867	Mar. 3, 1885	Resigned May 16, 1881.
47th to 48th..... 1881–1885	Elbridge G. Lapham.....	July 22, 1881	.....do	
49th to 51st 1885–1891	William M. Evarts.....	Mar. 4, 1885	Mar. 3, 1891	
52d to 53d..... 1891–1895	David B. Hill.....	Mar. 4, 1891	Mar. 3, 1897	
54th 1895–1897	.....do	.....do	.....do	

NORTH CAROLINA.

CLASS 2.

1st to 2d 1789–1793	Samuel Johnston	Nov. 27, 1789	Mar. 3, 1793	
3d to 5th..... 1793–1799	Alexander Martin	Mar. 4, 1793	Mar. 3, 1799	
6th to 8th..... 1799–1805	Jesse Franklin.....	Mar. 4, 1799	Mar. 3, 1805	
9th to 14th..... 1805–1817	James Turner.....	Mar. 4, 1805	Mar. 3, 1817	Resigned in 1816.
14th to 17th..... 1815–1823	Montfort Stokes	Dec. 4, 1816	Mar. 3, 1823	
18th to 20th..... 1823–1829	John Branch	Mar. 4, 1823	Mar. 3, 1829	
21st to 26th 1829–1841	Bedford Brown	Dec. 9, 1829	Mar. 3, 1841	Resigned in 1840.
26th to 32d..... 1839–1853	Willie P. Mangum	Nov. 25, 1840	Mar. 3, 1853	
33d to 35th..... 1853–1859	David S. Reid	Dec. 6, 1854	Mar. 3, 1859	Vacancy in this class Mar. 4, 1853, to Dec. 6, 1854.
36th to 37th..... 1859–1863	Thomas Bragg	Mar. 4, 1859	Mar. 3, 1865	Retired from Senate July 12, 1861.
37th to 39th..... 1861–1867	Vacant	.....	.....	State unrepresented in this class from July 12, 1861, to June 25, 1868, because of civil war.
40th to 41st 1867–1871	Joseph C. Abbott.....	June 25, 1868	Mar. 3, 1871	By legislature, to fill vacancy in term beginning Mar. 4, 1865.

NORTH CAROLINA (CLASS 2)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
42d to 53d.....1871–1895	Matt W. Ransom.....	Apr. 24, 1872	Mar. 3, 1895	Z. B. Vance was elected to succeed Joseph C. Abbott, but was not admitted to a seat.
54th 1895–1897	Marion Butler	Mar. 4, 1895	Mar. 3, 1901	

CLASS 3.

1st to 3d 1789–1795	Benjamin Hawkins.....	Nov. 27, 1789	Mar. 3, 1795	
4th to 6th.....1795–1801	Timothy Bloodworth	Mar. 4, 1795	Mar. 3, 1801	
7th to 9th.....1801–1807	David Stone.....	Mar. 4, 1801	Mar. 3, 1807	
10th to 12th.....1807–1813	Jesse Franklin.....	Mar. 4, 1807	Mar. 3, 1813	
13th 1813–1815	David Stone.....	Mar. 4, 1813	Mar. 3, 1819	Resigned in 1814.
Do.....do	Francis Locke	.....	.....	Did not take his seat.
14th to 20th.....1815–1829	Nathaniel Macon	Dec. 5, 1815	Mar. 3, 1831	Resigned in 1828.
20th to 21st 1827–1831	James Iredell.....	Dec. 15, 1828	.....do	
22d to 24th.....1831–1837	Willie P. Mangum.....	Mar. 4, 1831	Mar. 3, 1837	Resigned in 1836.
24th to 26th.....1835–1841	Robert Strange	Dec. 5, 1836	Mar. 3, 1843	Resigned in 1840.
26th to 27th.....1839–1843	William A. Graham.....	Nov. 25, 1840	.....do	
28th to 29th.....1843–1847	William H. Haywood.....	Mar. 4, 1843	Mar. 3, 1849	Resigned in 1846.
29th to 33d.....1845–1855	George E. Badger.....	Dec. 14, 1846	Mar. 3, 1855	
34th to 35th.....1855–1859	Asa Biggs	Mar. 4, 1855	Mar. 3, 1861	Resigned in 1858.
35th to 37th.....1857–1863	Thomas L. Clingman.....	May 6, 1858	Nov. 22, 1858	By governor, to fill vacancy.
Do.....do	.....do	Nov. 23, 1858	Mar. 3, 1867	By legislature. Retired from the Senate July 11, 1861.
37th to 39th.....1861–1867	Vacant	.....	.....	State unrepresented in this class from July 11, 1861, to June 25, 1868, because of civil war.

40th to 42d 1867–1873	John Pool	June 25, 1868	Mar. 3, 1873	By legislature, to fill vacancy in term beginning Mar. 4, 1867.
43d to 45th 1873–1879	Augustus S. Merrimon	Mar. 4, 1873	Mar. 3, 1879	
46th to 53d 1879–1895	Zebulon B. Vance	Mar. 4, 1879	Mar. 3, 1897	Died Apr. 14, 1894.
53d 1893–1895	Thos. J. Jarvis	Apr. 19, 1894	Jan. 23, 1895	By governor, to fill vacancy.
53d 1893–1895	Jeter Connelly Pritchard ..	Jan. 23, 1895	Mar. 3, 1897	
54th 1895–1897	.....do	.....do	.....do	

NORTH DAKOTA.

Class 1.

51st to 52d 1889–1893	Lyman R. Casey	Nov. 25, 1889	Mar. 3, 1893	
53d 1893–1895	William N. Roach	Mar. 4, 1893	Mar. 3, 1899	
54th 1895–1897	.....do	.....do	.....do	

Class 3.

51st 1889–1891	Gilbert A. Pierce	Nov. 21, 1889	Mar. 3, 1891	
52d to 53d 1891–1895	Henry C. Hansbrough	Mar. 4, 1891	Mar. 3, 1897	
54th 1895–1897	.....do	.....do	.....do	

OHIO.

Class 1.

8th to 10th 1803–1809	John Smith	Apr. 1, 1803	Mar. 3, 1809	Resigned in 1808.
10th to 11th 1807–1811	Return J. Meigs, jr	Dec. 12, 1808	Mar. 3, 1815	Resigned in 1810.
11th to 13th 1809–1815	Thomas Worthington	Dec. 15, 1810	.....do	Resigned in 1814.

OHIO (CLASS 1)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
13th 1813–1815	Joseph Kerr.....	Dec. 10, 1814	Mar. 3, 1815	
14th to 22d 1815–1833	Benjamin Ruggles.....	Mar. 4, 1815	Mar. 3, 1833	
23d to 25th 1833–1839	Thomas Morris	Mar. 4, 1833	Mar. 3, 1839	
26th to 28th..... 1839–1845	Benjamin Tappan	Mar. 4, 1839	Mar. 3, 1845	
29th to 31st 1845–1851	Thomas Corwin.....	Mar. 4, 1845	Mar. 3, 1851	Resigned in July, 1850.
31st..... 1849–1851	Thomas Ewing	July 20, 1850	.....do	By governor, to fill vacancy.
32d to 40th 1851–1869	Benjamin F. Wade.....	Mar. 4, 1851	Mar. 3, 1869	
41st to 46th 1869–1881	Allen G. Thurman	Mar. 4, 1869	Mar. 3, 1881	
47th to 53d 1881–1895	John Sherman	Mar. 4, 1881	Mar. 3, 1899	
54th 1895–1897	.....do	Mar. 4, 1893	.....do	

CLASS 3.

8th to 9th..... 1803–1807	Thomas Worthington.....	Apr. 1, 1803	Mar. 3, 1807	
10th to 11th..... 1807–1811	Edward Tiffin.....	Mar. 4, 1807	Mar. 3, 1813	Resigned in 1809.
11th 1809–1811	Stanley Griswold	May 18, 1809	Dec. 11, 1809	By governor, to fill vacancy.
11th to 12th..... 1809–1813	Alexander Campbell.....	Dec. 11, 1809	Mar. 3, 1813	
13th to 15th..... 1813–1819	Jeremiah Morrow.....	Mar. 4, 1813	Mar. 3, 1819	
16th to 17th..... 1819–1823	William A. Trimble.....	Mar. 4, 1819	Mar. 3, 1825	Died Dec. 13, 1821.
17th to 18th..... 1821–1825	Ethan Allen Brown.....	Jan. 3, 1822	.....do	
19th to 20th..... 1825–1829	William H. Harrison.....	Mar. 4, 1825	Mar. 3, 1831	Resigned in 1828.
20th to 21st 1827–1831	Jacob Burnet.....	Dec. 10, 1828	.....do	
22d to 24th..... 1831–1837	Thomas Ewing	Mar. 4, 1831	Mar. 3, 1837	
25th to 30th..... 1837–1849	William Allen.....	Mar. 4, 1837	Mar. 3, 1849	

31st to 33d.....1849–1855	Salmon P. Chase.....	Mar. 4, 1849	Mar. 3, 1855	
34th to 36th.....1855–1861	George E. Pugh.....	Mar. 4, 1855	Mar. 3, 1861	
37th.....1861–1863	Salmon P. Chase.....	Mar. 4, 1861	Mar. 3, 1867	Resigned Mar. 6, 1861.
37th to 45th.....1861–1879	John Sherman.....	Mar. 21, 1861	Mar. 3, 1879	Resigned Mar. 8, 1877.
45th.....1877–1879	Stanley Matthews.....	Mar. 21, 1877	.....do.....	
46th to 48th.....1879–1885	George H. Pendleton.....	Mar. 4, 1879	Mar. 3, 1885	
49th to 51st.....1885–1891	Henry B. Payne.....	Mar. 4, 1885	Mar. 3, 1891	
52d to 53d.....1891–1895	Calvin S. Brice.....	Mar. 4, 1891	Mar. 3, 1897	
54th.....1895–1897	.....do.....	.....do.....	.....do.....	

OREGON.

Class 2.

35th.....1857–1861	Delazon Smith.....	Feb. 14, 1859	Mar. 3, 1859	
36th to 37th.....1861–1863	Edward D. Baker.....	Oct. 2, 1860	Mar. 3, 1865	Seat vacant from Mar. 4, 1859 to Oct. 2, 1860. Died Oct. 21, 1861.
37th.....1861–1863	Benjamin Stark.....	Oct. 29, 1861	Sept. 12, 1862	By governor, to fill vacancy.
37th to 38th.....1861–1865	Benjamin F. Harding.....	Sept. 12, 1862	Mar. 3, 1865	
39th to 41st.....1865–1871	George H. Williams.....	Mar. 4, 1865	Mar. 3, 1871	
42d to 44th.....1871–1877	James K. Kelly.....	Mar. 4, 1871	Mar. 3, 1877	
45th to 47th.....1877–1883	Lafayette Grover.....	Mar. 4, 1877	Mar. 3, 1883	
48th to 53d.....1883–1895	Joseph N. Dolph.....	Mar. 4, 1883	Mar. 3, 1895	
54th.....1895–1897	George W. McBride.....	Mar. 4, 1895	Mar. 3, 1901	

Class 3.

35th to 36th.....1857–1861	Joseph Lane.....	Feb. 14, 1859	Mar. 3, 1861	
37th to 39th.....1861–1867	James W. Nesmith.....	Mar. 4, 1861	Mar. 3, 1867	
40th to 42d.....1867–1873	Henry W. Corbett.....	Mar. 4, 1867	Mar. 3, 1873	
34d to 45th.....1873–1879	John H. Mitchell.....	Mar. 4, 1873	Mar. 3, 1879	

OREGON (CLASS 3)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
46th to 48th.....1879–1885	James H. Slater.....	Mar. 4, 1879	Mar. 3, 1885	
49th to 53d 1885–1895	John H. Mitchell	Nov. 18, 1885	Mar. 3, 1897	
54th 1895–1897	.....do	.....do	.....do	

PENNSYLVANIA.

CLASS 1.

1st.....1789–1791	William Maclay	Mar. 4, 1789	Mar. 3, 1791	
2d to 3d.....1791–1795	Albert Gallatin	Feb. 28, 1793	Mar. 3, 1797	Seat vacated by resolution of the Senate Feb. 28, 1794, Mr. Gallatin not having been a citizen of the United States the term of nine years required by the Constitution of the United States.
3d to 7th 1793–1803	James Ross	Apr. 1, 1794	Mar. 3, 1803	
8th to 10th.....1803–1809	Samuel Maclay	Mar. 4, 1803	Mar. 3, 1809	Resigned in 1808.
10th to 13th.....1807–1815	Michael Leib	Dec. 13, 1808	Mar. 3, 1815	Resigned in 1814.
13th to 16th 1813–1821	Jonathan Roberts	Feb. 14, 1815	Mar. 3, 1821	
17th to 19th.....1821–1827	William Findlay.....	Mar. 4, 1821	Mar. 3, 1827	
20th to 22d.....1827–1833	Isaac D. Barnard.....	Mar. 4, 1827	Mar. 3, 1833	Resigned in December, 1331.
22d 1831–1833	George M. Dallas	Dec. 13, 1831	.....do	
23d to 25th.....1833–1839	Samuel McKean.....	Mar. 4, 1833	Mar. 3, 1839	
26th to 31st 1839–1851	Daniel Sturgeon	Mar. 4, 1839	Mar. 3, 1851	
32d to 34th.....1851–1857	Richard Brodhead	Mar. 4, 1851	Mar. 3, 1857	
35th to 37th.....1857–1863	Simon Cameron	Mar. 4, 1857	Mar. 3, 1863	Resigned in March, 1861.

37th 1861–1863	David Wilmot.....	Mar. 14, 1861	Mar. 3, 1863	
38th to 40th..... 1863–1869	Charles R. Buckalew.....	Mar. 4, 1863	Mar. 3, 1869	
41st to 43d 1869–1875	John Scott	Mar. 4, 1869	Mar. 3, 1875	
44th to 46th..... 1875–1881	William A. Wallace.....	Mar. 4, 1875	Mar. 3, 1881	
47th to 49th..... 1881–1887	John I. Mitchell.....	Mar. 4, 1881	Mar. 3, 1887	
50th to 53d..... 1887–1895	Matthew S. Quay	Mar. 4, 1887	Mar. 3, 1899	
54th 1895–1897	.....do	.....do	.....do	

CLASS 3.

1st to 3d 1789–1795	Robert Morris	Mar. 4, 1789	Mar. 3, 1795	
4th to 6th..... 1795–1801	William Bingham	Mar. 4, 1795	Mar. 3, 1801	
7th 1801–1803	Peter Muhlenberg	Mar. 4, 1801	Mar. 3, 1807	Resigned in 1801.
7th to 9th..... 1801–1807	George Logan	July 13, 1801	Dec. 16, 1801	By governor, to fill vacancy.
Do ..... do....	.....do	Dec. 16, 1801	Mar. 3, 1807	
10th to 12th..... 1807–1813	Andrew Gregg.....	Mar. 4, 1807	Mar. 3, 1813	
13th to 15th..... 1813–1819	Abner Lacock.....	Mar. 4, 1813	Mar. 3, 1819	
16th to 18th..... 1819–1825	Walter Lowrie	Mar. 4, 1819	Mar. 3, 1825	
19th to 21st 1825–1831	William Marks	Mar. 4, 1825	Mar. 3, 1831	
22d to 23d 1831–1835	William Wilkins.....	Mar. 4, 1831	Mar. 3, 1837	Resigned in 1834.
23d to 29th..... 1833–1847	James Buchanan	Dec. 6, 1834	Mar. 3, 1849	Resigned in 1845.
29th to 30th..... 1845–1849	Simon Cameron.....	Mar. 3, 1845	.....do	
31st to 33d 1849–1855	James Cooper.....	Mar. 4, 1849	Mar. 3, 1855	
34th to 36th..... 1855–1861	William Bigler.....	Mar. 4, 1855	Mar. 3, 1861	
37th to 39th..... 1861–1867	Edgar Cowan	Mar. 4, 1861	Mar. 3, 1867	
40th to 44th..... 1867–1877	Simon Cameron	Mar. 4, 1867	Mar. 3, 1879	Resigned Mar. 3, 1877.
45th to 53d..... 1877–1895	James Donald Cameron ...	Mar. 4, 1877	Mar. 3, 1897	
54th 1895–1897	.....do	.....do	.....do	

RHODE ISLAND.

CLASS 1.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
1st to 7th.....1789–1803	Theodore Foster.....	June 7, 1790	Mar. 3, 1803	
8th.....1803–1805	Samuel I. Potter.....	Mar. 4, 1803	Mar. 3, 1809	Died Oct. 4, 1804.
8th to 10th.....1803–1809	Benjamin Howland.....	Oct. (*), 1804	.....do.....	
11th.....1809–1811	Francis Malbone.....	Mar. 4, 1809	Mar. 3, 1815	Died June 4, 1809.
11th to 12th.....1809–1813	Christopher G. Champlin..	June(†), 1809	.....do.....	Resigned in 1811.
12th to 16th.....1811–1821	William Hunter.....	Oct. (*), 1811	Mar. 3, 1821	
17th to 19th.....1821–1827	James D'Wolf.....	Mar. 4, 1821	Mar. 3, 1827	Resigned in 1825.
19th to 25th.....1825–1839	Asher Robbins.....	Oct. (*), 1825	Mar. 3, 1839	
26th to 27th.....1839–1843	Nathan F. Dixon.....	Mar. 4, 1839	Mar. 3, 1845	Died Jan. 29, 1842.
27th to 28th.....1841–1845	William Sprague.....	Feb. 5, 1842	.....do.....	Resigned in 1844.
28th.....1843–1845	John B. Francis.....	Jan. 25, 1844	.....do.....	
29th to 31st.....1845–1851	Albert C. Greene.....	Mar. 4, 1845	Mar. 3, 1851	
32d to 34th.....1851–1857	Charles T. James.....	Mar. 4, 1851	Mar. 3, 1857	
35th to 37th.....1857–1863	James F. Simmons.....	Mar. 4, 1857	Mar. 3, 1863	Resigned in 1862.
37th.....1861–1863	Samuel G. Arnold.....	Sept. 13, 1862	.....do.....	
38th to 43d.....1863–1875	William Sprague.....	Mar. 4, 1863	Mar. 3, 1875	
44th to 47th.....1875–1883	Ambrose E. Burnside.....	Mar. 4, 1873	Mar. 3, 1887	Died Aug. 13, 1881.
47th to 53d.....1881–1895	Nelson W. Aldrich.....	Oct. 5, 1881	Mar. 3, 1899	
54th.....1895–1897	.....do.....	.....do.....	.....do.....	

CLASS 2.

1st to 2d.....1789–1793	Joseph Stanlon.....	June 7, 1790	Mar. 3, 1793	
3d to 5th.....1793–1799	William Bradford.....	Mar. 4, 1793	Mar. 3, 1799	Resigned in 1797.

5th to 7th.....1797–1803	Ray Green.....	Oct. (‡), 1797	Mar. 3, 1805	Resigned in 1801.
7th to 8th.....1801–1805	Christopher Ellery.....	May(§), 1801	.....do.....	
9th to 10th.....1805–1809	James Fenner.....	Mar. 4, 1805	Mar. 3, 1811	Resigned in 1807.
10th to 11th.....1807–1811	Elisha Matthewson.....	Oct. (*), 1807	.... do.....	
12th to 14th.....1811–1817	Jeremiah B. Howell.....	Mar. 4, 1811	Mar. 3, 1817	
15th to 16th.....1817–1821	James Burrill.....	Mar. 4, 1817	Mar. 3, 1823	Died Dec. 25, 1820.
16th to 26th.....1819–1841	Nehemiah R. Knight.....	Jan. 9, 1821	Mar. 3, 1841	
27th to 29th.....1841–1847	James F. Simmons.....	Mar. 4, 1841	Mar. 3, 1847	
30th to 32d.....1847–1853	John H. Clarke.....	Mar. 4, 1847	Mar. 3, 1853	
33d to 35th.....1853–1859	Philip Allen.....	Mar. 4, 1853	Mar. 3, 1859	
36th to 48th.....1859–1885	Henry B. Anthony.....	Mar. 4, 1859	Mar. 3, 1889	Died Sept. 2, 1884.
48th.....1883–1885	W. P. Sheffield.....	Nov. 10, 1884	Jan. 20, 1885	By governor, to fill vacancy.
48th to 51st.....1883–1891	Jonathan Chace.....	Jan. 20, 1885	Mar. 3, 1895	Resigned Apr. 9, 1889.
51st to 53d.....1889–1895	Nathan F. Dixon.....	Apr. 10, 1889	.....do.....	
54th.....1895–1897	Geo. Peabody Wetmore....	Mar. 4, 1895	Mar. 3, 1901	

SOUTH CAROLINA.

CLASS 2.

1st to 4th.....1789–1797	Pierce Butler.....	Mar. 4, 1789	Mar. 3, 1799	Resigned in 1796.
4th to 5th.....1795–1799	John Hunter.....	Dec. 8, 1796	.....do.....	Resigned in 1798.
5th to 7th.....1797–1803	Charles Pinckney.....	Dec. 4, 1798	Mar. 3, 1805	Resigned in 1801.
7th to 11th.....1801–1811	Thomas Sumpter.....	Dec. 3, 1801	Mar. 3, 1811	Resigned in 1810.
11th to 14th.....1809–1817	John Taylor.....	Dec. 19, 1810	Mar. 3, 1817	Resigned in 1816.
14th to 17th.....1815–1823	William Smith.....	Dec. 4, 1816	Mar. 3, 1823	
18th to 22d.....1823–1833	Robert Young Hayne.....	Mar. 4. 1823	Mar. 3, 1835	Resigned in 1832.
22d to 27th.....1831–1843	John C. Calhoun.....	Dec. 12, 1832	Mar. 3, 1847	Resigned in 1842.
27th to 28th.....1841–1845	Daniel Elliott Huger.....	Dec. 15, 1842	.....do.....	Resigned in 1845.
28th to 31st.....1843–1851	John C. Calhoun.....	Dec. 26, 1845	Mar. 3, 1853	Died Mar. 31, 1850.

*Last Monday. †Fourth Monday. ‡Last Wednesday. §First Wednesday.

SOUTH CAROLINA (CLASS 2)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
31st.....1849–1851	Franklin H. Elmore.....	Apr. 11, 1850	.....	By governor, to fill vacancy. Died May 29, 1850.
Do.....do....	Robert W. Barnwell.....	June 4, 1850	Dec. 18, 1850	By governor, to fill vacancy.
31st to 32d.....1849–1853	R. Barnwell Rhett.....	Dec. 18, 1850	Mar. 3, 1853	Resigned in 1852.
32d.....1851–1853	Wm. F. Desaussure.....	May 10, 1852	Nov. 29, 1852	By governor, to fill vacancy.
Do.....do.....do.....	Nov. 29, 1852	Mar. 3, 1853	
33d to 35th.....1853–1859	Josiah J. Evans.....	Mar. 4, 1853	Mar. 3, 1859	Died May 6, 1858.
35th.....1857–1859	Arthur P. Hayne.....	May 11, 1858	Dec. 2, 1858	By governor, to fill vacancy.
35th to 36th.....1857–1861	James Chestnut, jr.....	Dec. 4, 1858	Mar. 3, 1865	Retired from the Senate Nov. 10, 1860.
37th to 39th.....1861–1867	Vacant.....	.....	....	State unrepresented in this class from Nov. 10, 1860, to June 25, 1868, because of civil war.
40th to 44th.....1867–1877	Thomas J. Robertson.....	June 25, 1868	Mar. 3, 1877	By legislature, to fill vacancy in term beginning Mar. 4, 1865.
45th to 53d.....1877–1895	M. C. Butler.....	Mar. 4, 1877	Mar. 3, 1895	
54th.....1895–1897	Benj. R. Tillman.....	Mar. 4, 1895	Mar. 3, 1901	

CLASS 3.

1st to 3d.....1789–1795	Ralph Izard.....	Mar. 4, 1789	Mar. 3, 1795	
4th to 6th.....1795–1801	Jacob Read.....	Mar. 4, 1795	Mar. 3, 1801	
7th.....1801–1803	John Ewing Colhoun.....	Mar. 4, 1801	Mar. 3, 1807	Died Nov. 3, 1802.
7th to 8th.....1801–1805	Pierce Butler.....	Nov. —, 1802	.....do.....	Resigned in 1804.
8th to 19th.....1803–1827	John Gaillard.....	Dec. 6, 1804	Mar. 3, 1831	Died Feb. 26, 1826.
.....1825–1827	William Harper.....	Mar. 8, 1826	Nov. 29, 1826	By governor, to fill vacancy.

19th to 21st 1825–1831	William Smith.....	Nov. 29, 1826	Mar. 3, 1831	
22d to 23d..... 1831–1835	Stephen D. Miller	Mar. 4, 1831	Mar. 3, 1837	Resigned in 1833.
23d to 27th..... 1833–1843	William C. Preston	Nov. 26, 1833	Mar. 3, 1843	Resigned in 1842.
27th to 29th..... 1841–1847	George McDuffie.....	Dec. —, 1842	Mar. 3, 1849	Resigned in 1846.
29th to 35th..... 1845–1859	Andrew P. Butler.	Dec. 21, 1846	Mar. 3, 1861	Died May 25, 1857.
35th to 36th..... 1857–1861	James H. Hammond.....	Dec. 7, 1857	.....do	Retired from Senate Nov. 11, 1860.
37th to 39th..... 1861–1867	Vacant	.....	.....	State unrepresented in this class from Nov. 11, 1860, to June 25, 1868, because of civil war.
40th to 42d..... 1867–1873	Frederick A. Sawyer.....	June 25, 1868	Mar. 3, 1873	By legislature, to fill vacancy in term beginning Mar. 4, 1867.
43d to 45th..... 1873–1879	John J. Patterson.....	Mar. 4, 1873	Mar. 3, 1879	
46th to 51st 1879–1891	Wade Hampton.....	Mar. 4, 1879	Mar. 3, 1891	
52d to 53d..... 1891–1895	J. L. M. Irby	Mar. 4, 1891	Mar. 3, 1897	
54th 1895–1897	.....do	.....do	.....do	

SOUTH DAKOTA.

Class 2.

51st to 53d 1889–1895	R. F. Pettigrew	Oct. 16, 1889	Mar. 3, 1895	
54th 1895–1897	.....do	.....do	Mar. 3, 1901	

Class 3.

51st 1889–1891	Gideon C. Moody.....	Oct. 16, 1889	Mar. 3, 1891	
52d to 53d..... 1891–1895	James H. Kyle.....	Mar. 4, 1891	Mar. 3, 1897	
54th 1895–1897	.....do	.....do	.....do	

TENNESSEE.

CLASS 1.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
4th to 5th..... 1795–1799	William Cocke	Aug. 2, 1796	Mar. 3, 1797	
Do .....do.....	.....do	Apr. 22, 1797	Sept. 26, 1797	By governor, to fill vacancy by reason of no election.
5th 1797–1799	Andrew Jackson.....	Sept. 26, 1797	Mar. 3, 1803	Resigned in April, 1798.
Do .....do....	Daniel Smith	Oct. 6, 1798	Dec. 12, 1798	By governor, to fill vacancy.
5th to 13th.....1797–1815	Joseph Anderson	Dec. 12, 1798	Mar. 3, 1809	
Do .....do....	.....do	Mar. 4, 1809	Apr. 11, 1809	Do.
Do .....do....	.....do	Apr. 11, 1809	Mar. 3, 1815	
14th to 15th.....1815–1819	George W. Campbell	Oct. 10, 1815	Mar. 3, 1821	Resigned in 1818.
15th to 21st.....1817–1831	John Henry Eaton.....	Sept. 5, 1818	Oct. 9, 1819	By governor, to fill vacancy.
Do .....do....	.....do	Oct. 9, 1819	Mar. 3, 1833	Resigned in 1829.
21st to 25th.....1829–1839	Felix Grundy.....	Oct. 19, 1829	Mar. 3, 1839	Resigned in 1838.
25th 1837–1839	Ephraim H. Foster	Sept. 17, 1838	.....do	By governor, to fill vacancy.
26th 1839–1841	Felix Grundy.....	Mar. 4, 1839	Mar. 3, 1845	Died Dec. 9, 1840.
26th to 27th.. 1839–1843	Alfred O. P. Nicholson	Dec. 25, 1840	Oct. 17, 1843	By governor, to fill vacancy.
28th 1843–1845	Ephraim H. Foster	Oct. 17, 1843	Mar. 3, 1845	
29th to 31st.....1845–1851	Hopkins L. Turney.....	Mar. 4, 1845	Mar. 3, 1851	
32d to 34th.....1851–1857	James C. Jones.....	Mar. 4, 1851	Mar. 3, 1857	
35th to 37th.....1857–1863	Andrew Johnson.....	Mar. 4, 1857	Mar. 3, 1863	
38th 1863–1865	Vacant	.....	.....	State unrepresented from Mar. 4, 1863, to Mar. 4, 1865, because of civil war.
39th to 40th.....1865–1869	David T. Patterson	Mar. 4, 1865	Mar. 3, 1869	By legislature, to fill vacancy in term beginning Mar. 4, 1863.
41st to 43d 1869–1875	William G. Brownlow	Mar. 4, 1869	Mar. 3, 1875	
44th 1875–1877	Andrew Johnson.....	Mar. 4, 1875	Mar. 3, 1881	Died July 31, 1875.
Do .....do....	David M. Key.....	Aug. 18, 1875	Jan. 20, 1877	By governor, to fill vacancy.

44th to 46th.....1875–1881	James E. Bailey	Jan. 20, 1877	Mar. 3, 1881	
47th to 49th.....1881–1887	Howell E. Jackson.....	Mar. 4, 1881	Mar. 3, 1887	Resigned Apr. 14, 1886.
49th 1885–1887	W. C. Whitthorne	Apr. 16, 1886	.....do	By governor, to fill vacancy.
50th to 53d.....1887–1895	William B. Bate.....	Mar. 4, 1887	Mar. 3, 1899	
54th 1895–1897	.....do	.....do	.....do	

CLASS 2.

4th to 5th.....1795–1799	William Blount	Aug. 2, 1796	Mar. 3, 1799	Expelled from the Senate.
5th 1797–1799	Joseph Anderson	Sept. 26, 1797	.....do	
6th to 8th.....1799–1805	William Cocke.....	Mar. 4, 1799	Mar. 3, 1805	
9th to 11th.....1805–1811	Daniel Smith	Mar. 4, 1805	Mar. 3, 1811	Resigned in 1809.
11th to 12th.....1809–1813	Jenkins Whiteside.....	Apr. 11, 1809	Mar. 3, 1817	Resigned in 1811.
12th to 13th.....1811–1815	George W. Campbell.....	Oct. 8, 1811	.....do	Resigned in 1814.
13th 1813–1815	Jesse Wharton.....	Mar. 17, 1814	Oct. 10, 1815	By governor, to fill vacancy.
14th to 17th.....1815–1823	John Williams	Oct. 4, 1815	Mar. 3, 1817	
Do .....do....	.....do	Mar. 4, 1817	Oct. 2, 1817	By governor, during recess of legislature.
Do .....do....	.....do	Oct. 2, 1817	Mar. 3, 1823	
18th to 19th.....1823–1827	Andrew Jackson.....	Mar. 4, 1823	Mar. 3, 1829	Resigned in 1825.
19th to 26th.....1825–1841	Hugh Lawson White	Oct. 28, 1825	Mar. 3, 1841	Resigned in 1840.
26th 1839–1841	Alexander Anderson	Jan. 27, 1840	.....do	
27th to 29th.....1841–1847	Spencer Jarnagin.....	Mar. 4, 1841	Mar. 3, 1847	
30th to 35th.....1847–1859	John Bell	Mar. 4, 1847	Mar. 3, 1859	
36th 1859–1861	Alfred O. P. Nicholson.....	Mar. 4, 1859	Mar. 3, 1865	Retired from Senate Mar. 3, 1861.
37th to 38th.....1861–1865	Vacant	.....	.....	State unrepresented in this class from Mar. 3, 1861, to Mar. 4, 1865, because of civil war.
39th to 41st.....1865–1871	Joseph S. Fowler.....	Mar. 4, 1865	Mar. 3, 1871	
42d to 44th.....1871–1877	Henry Cooper.....	Mar. 4, 1871	Mar. 3, 1877	
45th to 53d.....1877–1895	Isham G. Harris	Mar. 4, 1877	Mar. 3, 1895	
54th 1895–1897	.....do	.....do	Mar. 3, 1901	

TEXAS.

CLASS 1.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
29th to 35th.....1845–1859	Thomas J. Rusk.....	Feb. 21, 1846	Mar. 3, 1863	Died July 29, 1857.
35th 1857–1859	J. P. Henderson.....	Nov. 9, 1857	.....do.....	Died June 4, 1858.
Do..... do....	Matthias Ward.....	Sept. 27, 1858	Dec. 5, 1859	By governor, to fill vacancy.
36th to 37th.....1859–1863	Lewis T. Wigfall.....	Dec. 15, 1859	Mar. 3, 1863	Retired from Senate July 11, 1861.
37th to 40th.....1861–1869	Vacant	.....	.....	State unrepresented in this class from July 11, 1861, to Mar. 30, 1870, because of civil war.
41st to 43d 1869–1875	J. W. Flanagan.....	Mar. 30, 1870	Mar. 3, 1875	By legislature, to fill vacancy in term beginning Mar. 4, 1869.
44th to 49th.....1875–1887	Sam. Bell Maxey.....	Mar. 4, 1875	Mar. 3, 1887	
50th to 52d.....1887–1893	John H. Reagan.....	Mar. 4, 1887	Mar. 3, 1893	Resigned June 10, 1891.
52d 1891–1893	Horace Chilton.....	June 10, 1891	Mar. 23, 1892	By governor, to fill vacancy. Oath administered Dec. 7, 1891.
52d to 53d.....1891–1895	Roger Q. Mills	Mar. 23, 1892	Mar. 3, 1899	
54th 1895–1897	.....do.....	.....do.....	.....do.....	

CLASS 2.

29th to 35th.....1845–1859	Sam Houston	Feb. 21, 1846	Mar. 3, 1859	
36th to 37th.....1859–1863	John Hemphill	Mar. 4, 1859	Mar. 3, 1865	Retired from Senate July 11, 1861.
37th to 40th.....1861–1869	Vacant	.....	.....	State unrepresented in this class from July 11, 1861, to Mar. 30, 1870, because of civil war.
41st to 44th.....1869–1877	Morgan C. Hamilton.....	Mar. 30, 1870	Mar. 3, 1877	By legislature to fill vacancy in term beginning Mar. 4, 1865.
45th to 53d.....1877–1895	Richard Coke	Mar. 4, 1877	Mar. 3, 1895	
54th 1895–1897	Horace Chilton.....	Mar. 4, 1895	Mar. 3, 1901	

UTAH.

CLASS 1.

54th 1895–1897	Frank J. Cannon.....	Jan. 22, 1896	Mar. 3, 1899	

CLASS 3.

54th 1895–1897	Arthur Brown.....	Jan. 22, 1896	Mar. 3, 1897	

VERMONT.

CLASS 1.

2d to 4th.....1791–1797	Moses Robinson.....	Oct. 17, 1891	Mar. 3, 1797	Resigned in 1796.
4th to 5th.....1795–1799	Israel Tichenor.....	Oct. 18, 1796	Mar. 3, 1803	Resigned Oct. 17, 1797.
5th to 7th.....1797–1803	Nathaniel Chipman.....	Oct. 17, 1797	.....do.....	
8th to 10th.....1803–1809	Isaac Smith.....	Mar. 4, 1803	Mar. 3, 1809	Resigned in 1807.
10th to 13th.....1807–1815	Jonathan Robinson.....	Oct. 10, 1807	Mar. 3, 1815	
14th to 16th.....1815–1821	Isaac Tichenor.....	Mar. 4, 1815	Mar. 3, 1821	
17th to 22d.....1821–1833	Horatio Seymour.....	Mar. 4, 1821	Mar. 3, 1833	
23d to 25th 1833–1839	Benjamin Swift.....	Mar. 4, 1833	Mar. 3, 1839	
26th to 31st.....1839–1851	Samuel S. Phelps.....	Mar. 4, 1839	Mar. 3, 1851	
32d to 39th 1851–1867	Solomon Foot.....	Mar. 4, 1851	Mar. 3, 1869	Died Mar. 28, 1866.
39th to 52d 1865–1893	George F. Edmunds	Apr. 5, 1866	Oct. 24, 1866	By governor, to fill vacancy.
Do .....do....	.....do.....	Oct. 24, 1866	Mar. 3, 1893	Resigned Oct. 31, 1891.
52d 1891–1893	Redfield Proctor.....	Nov. 2, 1891	Oct. 19, 1892	By governor, to fill vacancy.
52d to 53d 1891–1895	.....do.....	Oct. 19, 1892	Mar. 3, 1899	
54th 1895–1897	.....do.....	.....do.....	.....do.....	

VERMONT—Continued.

CLASS 3.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
2d to 3d.....1791–1795	Stephen R. Bradley.....	Oct. 17, 1791	Mar. 3, 1795	
4th to 6th.....1795–1801	Elijah Paine.....	Mar. 4, 1795	Mar. 3, 1801	
7th to 12th.....1801–1813	Stephen R. Bradley.....	Oct. 15, 1801	Mar. 3, 1813	
13th to 15th.....1813–1819	Dudley Chase.....	Mar. 4, 1813	Mar. 3, 1819	Resigned in 1817.
15th 1817–1819	James Fisk	Nov. 4, 1817	.....do.....	Resigned in 1818.
15th to 18th.....1817–1825	William A. Palmer.....	Oct. 20, 1818	Mar. 3, 1825	
19th to 21st.....1825–1831	Dudley Chase.....	Mar. 4, 1825	Mar. 3, 1831	
22d to 27th 1831–1843	Samuel Prentiss	Mar. 4, 1831	Mar. 3, 1843	Resigned in 1842.
27th 1841–1843	Samuel C. Crafts	Apr. 23, 1842	Oct. 26, 1842	By governor, to fill vacancy.
27th 1841–1843	Samuel C. Crafts	Oct. 26, 1842	Mar. 3, 1843	
28th to 32d.....1843–1853	William Upham	Mar. 4, 1843	Mar. 3, 1855	Died Jan. 14, 1853.
32d 1851–1853	Samuel S. Phelps.....	Jan. 17, 1853	Mar. 4, 1854	By governor, to fill vacancy.
33d 1853–1855	Lawrence Brainerd.....	Oct. 14, 1854	Mar. 3, 1855	
34th to 39th.....1855–1867	Jacob Collamer	Mar. 4, 1855	Mar. 3, 1867	Died Nov. 8, 1865.
39th 1865–1867	Luke P. Poland.....	Nov. 21, 1865	Oct. 24, 1866	By governor, to fill vacancy.
Do..... .....do....	.....do.....	Oct. 24, 1866	Mar. 3, 1867	
40th to 53d.....1867–1895	Justin S. Morrill.....	Mar. 4, 1867	Mar. 3, 1897	
54th 1895–1897	.....do.....	.....do.....	.....do.....	

VIRGINIA.

CLASS 1.

1st.....1789–1791	William Grayson.....	Mar. 4, 1789	Mar. 3, 1791	Died Mar. 12, 1790.
Do.....do....	John Walker.....	Mar. 31, 1790	Nov. 9, 1790	By governor, to fill vacancy.

1st to 3d 1789–1795	James Monroe	Nov. 9, 1790	Mar. 3, 1797	Resigned in 1794.
3d to 8th 1793–1805	Stevens T. Mason	Nov. 18, 1794	Mar. 3, 1809	Died May 10, 1803.
8th 1803–1805	John Taylor	June 4, 1803	Dec. 7, 1803	By governor, to fill vacancy.
Do ..... do	Abraham B. Venable	Dec. 7, 1803	Mar. 3, 1809	Resigned in 1804.
Do ..... do	William B. Giles	Aug. 11, 1804	Dec. 4, 1804	By governor, to fill vacancy.
8th to 10th 1803–1809	Andrew Moore	Dec. 4, 1804	Mar. 3, 1809	
11th to 13th 1809–1815	Richard Brent	Mar. 4, 1809	Mar. 3, 1815	Died in 1815.
13th to 19th 1813–1827	James Barbour	Jan. 2, 1815	Mar. 3, 1827	Resigned in 1825.
19th 1825–1827	John Randolph	Dec. 9, 1825	..... do	
20th to 24th 1827–1837	John Tyler	Mar. 4, 1827	Mar. 3, 1839	Resigned in 1836.
24th to 28th 1835–1845	William C. Rives	Mar. 4, 1836	Mar. 3, 1845	
29th 1845–1847	Isaac S. Pennybacker	Mar. 4, 1845	Mar. 3, 1851	Died Jan. 12, 1847.
29th to 37th 1845–1863	James M. Mason	Jan. 21, 1847	Mar. 3, 1863	Retired from Senate Mar. 28, 1861. State unrepresented in this class from Mar. 28, 1861, to July 9, 1861, because of civil war.
37th 1861–1863	Waitman T. Willey	July 9, 1861	..... do	By legislature, to fill unexpired term of J. M. Mason, retired.
38th 1863–1865	Samuel J. Bowden	Mar. 4, 1863	Mar. 3, 1869	Died Jan. 2, 1864.
39th to 40th 1865–1869	Vacant	.....	.....	State unrepresented in this class from Jan. 2, 1864, to Jan. 26, 1870, because of civil war.
41st to 43d 1869–1875	John F. Lewis	Jan. 26, 1870	Mar. 3, 1875	By legislature, to fill vacancy in term beginning Mar. 4, 1869.
44th to 46th 1875–1881	Robert E. Withers	Mar. 4, 1875	Mar. 3, 1881	
47th to 49th 1881–1887	William Mahone	Mar. 4, 1881	Mar. 3, 1887	
50th to 53d 1887–1895	John W. Daniel	Mar. 4, 1887	Mar. 3, 1899	
54th 1895–1897	..... do	..... do	..... do	

CLASS 2.

1st to 2d 1789–1793	Richard Henry Lee	Mar. 4, 1789	Mar. 3, 1793	Resigned in 1792.
2d to 3d 1793–1795	John Taylor	Oct. 18, 1792	Mar. 3, 1799	Resigned in 1794.
3d to 5th 1793–1799	Henry Tazewell	Nov. 18, 1794	..... do	Died in 1799.

VIRGINIA (CLASS 2)—Continued.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
6th to 8th.....1799–1805	Wilson C. Nicholas.....	Dec. 5, 1799	Mar. 3, 1805	Resigned in 1804.
8th 1803–1805	Andrew Moore.....	Aug. 11, 1804	Dec. 4, 1804	By governor, to fill vacancy.
8th to 14th.....1803–1817	William B. Giles	Dec. 4, 1804	Mar. 3, 1817	Resigned in 1815.
14th 1815–1817	Armstead T. Mason.....	Jan. 3, 1816	.....do.....	
15th to 16th.....1817–1821	John W. Eppes.....	Mar. 4, 1817	Mar. 3, 1823	Resigned in 1819.
16th to 17th.....1819–1823	James Pleasants	Dec. 10, 1819	.....do.....	Resigned in 1822.
17th to 18th.....1821–1825	John Taylor.....	Dec. 18, 1822	Mar. 3, 1829	Died Aug. 20, 1824.
18th to 22d.....1823–1833	Littleton W. Tazewell.	Dec. 7, 1824	Mar. 3, 1835	Resigned in 1832.
22d to 23d.....1831–1835	W. C. Rives	Dec. 11, 1832	.....do.....	Resigned in 1834.
23d to 24th.....1833–1837	Benjamin W. Leigh.....	Feb. 27, 1834	Mar. 3, 1841	Resigned in 1836.
24th to 25th.....1835–1839	Richard E. Parker	Dec. 12, 1836	.....do.....	Resigned in 1837.
25th to 26th.....1837–1841	William H. Roane	Mar. 14, 1837	.....do.....	
27th to 29th.....1841–1847	William S. Archer	Mar. 4, 1841	Mar. 3, 1847	
30th to 37th.....1847–1863	Robert M. T. Hunter.....	Mar. 4, 1847	Mar. 3, 1865	Retired from Senate Mar. 28, 1861. State unrepresented in this class from Mar. 28, 1861, to July 9, 1861, because of civil war.
37th to 38th.....1861–1865	John S. Carlile	July 9, 1861	.....do.... .	
39th to 40th.....1865–1869	Vacant	.....	.....	State unrepresented in this class from Mar. 4, 1865, to Jan. 26, 1870, because of civil war.
41st to 47th.....1869–1883	John W. Johnston.....	Jan. 26, 1870	Mar. 3, 1883	By legislature, to fill vacancy in term beginning Mar. 4, 1865.
48th to 50th.....1883–1889	Harrison H. Riddleberger.	Mar. 4, 1883	Mar. 3, 1889	
51st to 52d 1889–1893	John S. Barbour.....	Mar. 4, 1889	Mar. 3, 1895	Died May 14, 1892.
52d 1891–1893	Eppa Hunton	May 28, 1892	Dec. 20, 1893	By governor, to fill vacancy.
53d 1893–1895	.....do.....	Dec. 20, 1893	Mar. 3, 1895	
54th 1895–1897	Thomas S. Martin.....	Mar. 4, 1895	Mar. 3, 1901	

WASHINGTON.

CLASS 1.

51st to 52d 1889–1893	John B. Allen	Nov. 20, 1889	Mar. 3, 1893	State unrepresented in this class from Mar. 4, 1893, to Feb. 1, 1895, because of failure of legislature to elect.
53d 1893–1895	John L. Wilson.....	Feb. 1, 1895	Mar. 3, 1899	
54th 1895–1897	.....do	.....do	.....do	

CLASS 3.

51st to 53d 1889–1895	Watson C. Squire	Nov. 20, 1889	Mar. 3, 1897	
54th 1895–1897	.....do	.....do	.....do	

WEST VIRGINIA.

CLASS 1.

38th to 40th..... 1863–1869	Peter G. Van Winkle	Aug. 4, 1863	Mar. 3, 1869	
41st to 43d..... 1869–1875	Arthur R. Boreman	Mar. 4, 1869	Mar. 3, 1875	
44th 1875–1877	Allen T. Caperton.....	Mar. 4, 1875	Mar. 3, 1881	Died July 26, 1876.
44th 1875–1877	Samuel Price.....	Aug. 26, 1876	Jan. 26, 1877	By governor, to fill vacancy.
44th to 46th..... 1875–1881	Frank Hereford.....	Jan. 26, 1877	Mar. 3, 1881	
47th to 49th..... 1881–1887	Johnson N. Camden	Mar. 4, 1881	Mar. 3, 1887	
50th to 53d..... 1887–1895	Charles J. Faulkner.....	Mar. 4, 1887	Mar. 3, 1899	
54th 1895–1897	.....do	.....do	.....do	

CLASS 2.

38th to 41st..... 1863–1871	Waitman T. Willey...	Aug. 4, 1863	Mar. 3, 1871	
42d to 47th..... 1871–1883	Henry G. Davis	Mar. 4, 1871	Mar. 3, 1883	
48th to 52d..... 1883–1893	John E. Kenna.....	Mar. 4, 1883	Mar. 3, 1895	Died Jan. 11, 1893.
52d to 53d..... 1891–1895	Johnson N. Camden	Jan. 25, 1893	.....do	
54th 1895–1897	Stephen B. Elkins	Mar. 4, 1895	Mar. 3, 1901	

WISCONSIN.

CLASS 1.

Congress.	Name of Senator.	Commencement of service.	Expiration of term.	Remarks.
30th to 34th.....1847–1857	Henry Dodge	June 8, 1848	Mar. 3, 1857	
35th to 40th.....1857–1869	James R. Doolittle	Mar. 4, 1857	Mar. 3, 1869	
41st to 43d 1869–1875	Matthew H. Carpenter.....	Mar. 4, 1869	Mar. 3, 1875	
44th to 46th.....1875–1881	Angus Cameron	Mar. 4, 1875	Mar. 3, 1881	
47th to 52d.....1881–1893	Philetus Sawyer	Mar. 4, 1881	Mar. 3, 1893	
53d 1893–1895	John L. Mitchell.....	Mar. 4, 1893	Mar. 3, 1899	
54th 1895–1897	.....do	.....do	.....do	

CLASS 3.

30th to 33d.....1847–1855	Isaac P. Walker.....	June 8, 1848	Mar. 3, 1855	
34th to 36th.....1855–1861	Charles Durkee	Mar. 4, 1855	Mar. 3, 1861	
37th to 45th.....1861–1879	Timothy O. Howe.....	Mar. 4, 1861	Mar. 3, 1879	
46th 1879–1881	Matthew H. Carpenter	Mar. 4, 1879	Mar. 3, 1885	Died Feb. 24, 1881.
47th to 48th.....1881–1885	Angus Cameron.....	Mar. 10, 1881	.....do	
49th to 51st 1885–1891	John C. Spooner	Mar. 4, 1885	Mar. 3, 1891	
52d to 53d.....1891–1895	William F. Vilas	Mar. 4, 1891	Mar. 3, 1897	
54th 1895–1897	.....do	.....do	.....do	

WYOMING.

CLASS 1.

51st to 52d 1889–1893	Francis E. Warren.....	Nov. 18, 1890	Mar. 3, 1893	
53d 1893–1895	.....	.....	.....	Asabel C. Beckwith, appointed by governor. Credentials presented to Senate Mar. 15, 1893, but did not qualify or take his seat. On July 11, 1893, Mr. Beckwith tendered his resignation.
53d 1893–1895	Clarence D. Clark.....	Jan. 23, 1895	Mar. 3, 1899	State unrepresented in this class from Mar. 4, 1893, to Jan. 23, 1895, because of failure of legislature to elect.
54th 1895–1897	.....do.....	.....do.....	.....do.....	

CLASS 2.

51st to 53d 1889–1895	Joseph M. Carey.....	Nov. 15, 1890	Mar. 3, 1895	
54th 1895–1897	Francis E. Warren.....	Mar. 4, 1895	Mar. 3, 1901	

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RATIFICATIONS OF THE CONSTITUTION BY THE THIRTEEN ORIGINAL STATES, THEIR POPULATION AND AREA.

State.	Date of ratification of the Constitution.	Population at date of ratification.	Population in 1880.	Population in 1890.	Area in square miles.	Remarks.
Delaware	Dec. 7, 1787	59,096	146,608	168,493	2,050	
Pennsylvania	Dec. 12, 1787	434,373	4,282,891	5,258,014	45,215	
New Jersey	Dec. 18, 1787	184,139	1,131,116	1,444,933	7,815	
Georgia	Jan. 2, 1788	82,548	1,542,180	1,837,353	59,475	Seceded Jan. 19, 1861. Readmitted to representation by the act of July 15, 1870.
Connecticut	Jan. 9, 1788	238,141	622,700	746,258	4,990	
Massachusetts	Feb. 6, 1788	378,787	1,783,085	2,238,943	8,315	
Maryland	Apr. 28, 1788	319,728	934,943	1,042,390	12,210	
South Carolina	May 23, 1788	249,073	995,577	1,151,149	30,570	Seceded Dec. 20, 1860. Readmitted to representation upon ratifying the fourteenth amendment, July 9, 1868.
New Hampshire	June 21, 1788	141,899	346,991	376,530	9,305	
Virginia	June 26, 1788	747,610	1,512,565	1,655,980	42,450	The area of Virginia at the date of ratification was 61,352 square miles, but Dec. 31, 1862, a portion of its territory was set off and admitted into the Union as a free and independent State under the name of West Virginia. The State seceded Apr. 17, 1861, and was readmitted to representation by act of Jan. 26, 1870.
New York	July 26, 1788	340,120	5,082,871	5,997,853	49,170	
North Carolina	Nov. 21, 1789	393,751	1,399,750	1,617,947	52,250	Seceded May 21, 1861. Readmitted to representation upon ratifying the fourteenth amendment, July 4, 1868.
Rhode Island	May 29, 1790	68,825	276,531	345,506	1,250	

STATES ADMITTED INTO THE UNION SINCE THE ADOPTION OF THE CONSTITUTION, THEIR POPULATION, AREA, AND FORMATION.

State.	Date of admission.	Population at time of admission.	Population in 1880.	Population in 1890.	Area in square miles.	Formation.
Vermont	Mar. 4, 1791	85,539	332,286	332,422	9,565	Formed from a portion of the territory of the State of New York.
Kentucky	June 1, 1792	73,677	1,648,690	1,858,635	40,400	Formed from a portion of the territory of the State of Virginia.
Tennessee	June 1, 1796	77,262	1,542,359	1,767,518	42,050	Formed from territory ceded to the United States by North Carolina. Seceded May 6, 1861. Readmitted to representation by joint resolution of July 24, 1866.
Ohio	Nov. 29, 1802	41,915	3,198,062	3,672,316	41,060	Formed from territory ceded to the United States by the State of Virginia.
Louisiana	Apr. 8, 1812	76,556	939,946	1,118,587	48,720	Formed from territory ceded to the United States by France under the treaty of Paris of April, 1803. Seceded Jan. 26, 1861. Readmitted to representation upon ratifying the fourteenth amendment, July 9, 1868.
Indiana	Dec. 11, 1816	63,897	1,978,301	2,192,404	36,350	Formed from territory ceded to the United States by the State of Virginia.
Mississippi	Dec. 10, 1817	75,512	1,131,597	1,289,600	46,810	Formed from territory ceded to the United States by the States of Georgia and South Carolina. Seceded Jan. 9, 1861. Readmitted to representation by act of Feb. 23, 1870.
Illinois	Dec. 3, 1818	34,620	3,077,871	3,826,351	56,650	Formed from territory ceded to the United States by the State of Virginia.
Alabama	Dec. 14, 1819	144,317	1,262,505	1,513,017	52,250	Formed from territory ceded to the United States by the States of South Carolina and Georgia. Seceded Jan. 11, 1861. Readmitted to representation upon ratifying the fourteenth amendment, July 13, 1868.
Maine	Mar. 15, 1820	298,335	648,936	661,086	33,040	Formed from a portion of the territory of the State of Massachusetts.

Missouri	Aug. 10, 1821	66, 586	2, 168, 380	2, 679, 184	69, 415	Formed from a portion of the territory ceded to the United States by France, under the name of "Louisiana," by the treaty of Paris of 1803.
Arkansas	June 15, 1836	52, 240	802, 525	1, 128, 179	53, 850	Formed from a portion of the territory ceded to the United States by France, under the name of "Louisiana," by the treaty of Paris of 1803.
Michigan	Jan. 26, 1837	200, 000	1, 636, 937	2, 093, 889	58, 915	Formed from territory ceded to the United States by the State of Virginia.
Florida	Mar. 3, 1845	54, 477	269, 493	391, 422	58, 680	Formed from territory ceded to the United States by Spain by treaty of 1819. Seceded Jan. 11, 1861. Readmitted to representation upon ratifying the fourteenth amendment, June 25, 1868.
Texas	Dec. 29, 1845	250, 000	1, 591, 749	2, 235, 523	265, 780	This State was originally a part of the Republic of Mexico, but by a successful revolt the people established for themselves an independent republican government, and were subsequently annexed to the United States. Seceded Feb. 1, 1861. Readmitted to representation by the act of Mar. 30, 1870.
Iowa	Dec. 28, 1846	81, 920	1, 624, 615	1, 911, 896	56, 025	Formed from a portion of the Territory of Wisconsin, as the "Territory of Iowa," June 12, 1838.
Wisconsin	May 29, 1848	210, 596	1, 315, 497	1, 686, 880	56, 040	Formed from a portion of the territory of the State of Michigan, as the "Territory of Wisconsin," Apr. 20, 1836.
California	Sept. 9, 1850	107, 000	864, 694	1, 208, 130	158, 360	Formed from territory ceded to the United States by Mexico by the treaty of Guadalupe Hidalgo of Feb. 2, 1848.
Minnesota	May 11, 1858	150, 042	780, 773	1, 301, 826	83, 365	Formed from a portion of the territory ceded to the United States by France by the treaty of Apr. 30, 1803.
Oregon	Feb. 14, 1859	52, 465	174, 768	313, 767	96, 030	Formed from territory ceded to the United States by the treaty with France of Apr. 30, 1803, the treaty with Spain of Feb. 22, 1819, and the treaty with Great Britain of June 15, 1846.
Kansas	Jan. 29, 1861	107, 206	906, 096	1, 427, 096	82, 080	Formed from territory ceded to the United States by France by the treaty of Apr. 30, 1803, and by the State of Texas, in the settlement of her boundaries, in 1850.
West Virginia	Dec. 31, 1862	376, 683	618, 457	762, 794	24, 780	Formed from a portion of the territory of the State of Virginia.

STATES ADMITTED INTO THE UNION SINCE THE ADOPTION OF THE CONSTITUTION, THEIR POPULATION, ... AND FORMATION—Continued.

State.	Date of admission.	Population at time of admission.	Population in 1880.	Population in 1890.	Area in square miles.	Formation
Nevada	Oct. 31, 1864	6,857	62,266	45,761	110,700	Formed from a portion of the territory ceded to the United States by Mexico by the treaty of Guadalupe Hidalgo of Feb. 2, 1848.
Nebraska	Mar. 1, 1867	*60,000	452,402	1,058,910	77,510	Formed from a portion of the territory ceded to the United States by France by the treaty of Apr. 30, 1803.
Colorado	Aug. 1, 1876	*150,000	194,327	412,198	103,925	Formed from portions of the territory ceded to the United States by France by the treaty of Apr. 30, 1803, and of that ceded by Mexico by the treaty of Guadalupe Hidalgo of Feb. 2, 1848.
South Dakota	Nov. 2, 1889	*100,000	135,177	328,808	77,650	Formed from a portion of the territory ceded to the United States by France by treaty of Apr. 30, 1803.
North Dakota	Nov. 2, 1889			182,719	70,795	Formed from a portion of the territory ceded to the United States by France by treaty of Apr. 30, 1803.
Montana	Nov. 8, 1889	*156,086	39,150	132,159	146,080	Formed from a portion of the territory ceded to the United States by France by treaty of Apr. 30, 1803.
Washington	Nov. 11, 1889	*186,393	75,116	349,390	69,180	Formed from territory ceded to the United States by France by treaty of Apr. 30, 1803. The northern boundary of the territory was settled by a treaty with Great Britain, known as the "Oregon treaty," of June 15, 1846.
Idaho	July 3, 1890	84,385	32,610	84,385	84,800	Formed from a portion of the territory ceded to the United States by France by treaty of Apr. 30, 1803.
Wyoming	July 10, 1890	60,705	20,789	60,705	97,890	Formed from a portion of the territory ceded to the United States by France by treaty of Apr. 30, 1803.
Utah	Jan. 4, 1896	*241,000	143,963	207,905	84,970	Formed from a portion of the territory ceded to the United States by Mexico by the treaty of Guadalupe Hidalgo of Feb. 2, 1848.

* Estimated.

THE TERRITORIES: DATE OF THE ESTABLISHMENT OF A TERRITORIAL GOVERNMENT IN EACH, THE POPULATION, AREA, AND FORMATION.

Territory.	Date of establishment of Territorial government.	Population in 1880.	Population in 1890.	Area in square miles.	Formation.
New Mexico	Sept. 9, 1850	119,565	153,593	122,580	Formed from a portion of the territory ceded to the United States by Mexico, by the treaty of Guadalupe Hidalgo of Feb. 2, 1848.
Arizona	Feb. 24, 1863	40,440	59,620	113,020	Formed from territory ceded to the United States by Mexico; part by the treaty of Guadalupe Hidalgo, of Feb. 2, 1848, and part by what is known as the "Gadsden purchase," in 1852.
Alaska	May 17, 1884	*33,426	31,795	531,409	Formed from territory ceded to the United States by Russia by treaty of Mar. 30, 1867.
District of Columbia	.....	177,624	230,392	70	The District of Columbia was established under the 17th clause, 8th section, 1st article of the Constitution of the United States. The territory embraced in the District was ceded to the United States, in accordance with the provisions of the Constitution, by the State of Maryland, by act of her legislature of Dec. 23, 1788, and by the State of Virginia, by act of her legislature of Dec. 3, 1789. These cessions were accepted by Congress, by act of July 16, 1790, and the lines and bounds of the District were established by a proclamation of the President, George Washington, Mar. 30, 1791. By an act of July 9, 1846, Congress retroceded the county of Alexandria, in the District of Columbia, to the State of Virginia. The present government of the District is administered by a board of three Commissioners, appointed by the President, in pursuance of an act of Congress of June 20, 1874.
Oklahoma	May 2, 1890	.....	61,834	†39,030	

*These are the figures given in the reports of the Tenth Census.
†Including Cherokee Country and No Man's Land.

ELECTORAL VOTES FOR PRESIDENT AND VICE-PRESIDENT FROM MARCH 4, 1789, TO MARCH 4, 1897.

ELECTION FOR THE FIRST TERM, 1789–1793.

GEORGE WASHINGTON, President; JOHN ADAMS, Vice-President.

Name of candidate.	Connecticut.	Delaware.	Georgia.	Maryland.	Massachusetts.	New Hampshire.	New Jersey.	Pennsylvania.	South Carolina.	Virginia.	Total.
George Washington, esq	7	3	5	6	10	5	6	10	7	10	69
John Adams, esq	5	.....	.....	.....	10	5	1	8	.....	5	34
Samuel Huntingdon, esq	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	2
John Jay, esq	.....	3	.....	.....	.....	.....	5	.....	.....	1	9
John Hancock, esq	.....	.....	.....	.....	.....	.....	.....	2	1	1	4
Robert H. Harrison, esq	.....	.....	.....	6	.....	.....	.....	.....	.....	.....	6
George Clinton, esq	.....	.....	.....	.....	.....	.....	.....	.....	.....	3	3
John Rutledge, esq	.....	.....	.....	.....	.....	.....	.....	.....	6	.....	6
John Milton, esq	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	2
James Armstrong, esq	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	1
Edward Telfair, esq	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	1
Benjamin Lincoln, esq	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	1
Total electoral vote	7	3	5	6	10	5	6	10	7	10	69

ELECTION FOR THE SECOND TERM, 1793–1797.

GEORGE WASHINGTON, President; JOHN ADAMS, Vice-President.

Name of candidate.	Connecticut.	Delaware.	Georgia.	Kentucky.	Maryland.	Massachusetts.	New Hampshire.	New Jersey.	New York.	North Carolina.	Pennsylvania.	Rhode Island.	South Carolina.	Vermont.	Virginia.	Total.
George Washington, of Virginia	9	3	4	4	8	16	6	7	12	12	15	4	8	3	21	132
John Adams, of Massachusetts	9	3	.....	.....	8	16	6	7	.....	.....	14	4	7	3	.....	77
George Clinton, of New York	.....	.....	4	.....	.....	.....	.....	.....	12	12	1	.....	.....	.....	21	50
Thomas Jefferson, of Virginia	.....	.....	.....	4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	4
Aaron Burr, of New York	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	1
Total electoral vote	9	3	4	4	8	16	6	7	12	12	15	4	8	3	21	132

ELECTION FOR THE THIRD TERM, 1797–1801.

JOHN ADAMS, President; THOMAS JEFFERSON, Vice-President.

Name of candidate.	Connecticut.	Delaware.	Georgia.	Kentucky.	Maryland.	Massachusetts.	New Hampshire.	New Jersey.	New York.	North Carolina.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Vermont.	Virginia.	Total.
John Adams, of Massachusetts	9	3	.....	.....	7	16	6	7	12	1	1	4	.....	.....	4	1	71
Thomas Jefferson, of Virginia	.....	.....	4	4	4	.....	.....	.....	.....	11	14	.....	8	3	.....	20	68
Thomas Pinckney, of South Carolina	4	3	.....	.....	4	13	...	7	12	1	2	.....	8	.....	4	1	59
Aaron Burr, of New York	.....	.....	.....	4	3	.....	.....	.....	.....	6	13	.....	.....	3	.....	1	30
Samuel Adams, of Massachusetts	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	15	15
O. Ellsworth, of Connecticut	.....	.....	.....	.....	.....	1	6	.....	.....	.....	.....	4	.....	.....	.....	.....	11
John Jay, of New York	5	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	5
George Clinton, of New York	.....	.....	4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	3	7
S. Johnston, of North Carolina	.....	.....	.....	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2
James Iredell, of North Carolina	.....	.....	.....	.....	.....	.....	.....	.....	.....	3	.....	.....	.....	.....	.....	.....	3
George Washington, of Virginia	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....	1	2
C. C. Pinckney, of South Carolina	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	1
[illegible] of Maryland	.....	.....	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2
.....	9	3	4	4	11	16	6	7	12	12	15	4	8	3	4	21	139

ELECTION FOR THE FOURTH TERM, 1801–1805.

THOMAS JEFFERSON, President; AARON BURR, Vice-President.

Name of candidate.	Connecticut.	Delaware.	Georgia.	Kentucky.	Maryland.	Massachusetts.	New Hampshire.	New Jersey.	New York.	North Carolina.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Vermont.	Virginia.	Total.
Thomas Jefferson, of Virginia	....	....	4	4	5	....	....	....	12	8	8	....	8	3	....	21	*73
Aaron Burr, of New York	....	....	4	4	5	....	....	....	12	8	8	....	8	3	....	21	*73
John Adams, of Massachusetts	9	3	....	....	5	16	6	7	....	4	7	4	....	....	4	....	65
Charles C. Pinckney, of South Carolina	9	3	....	....	5	16	6	7	....	4	7	3	....	....	4	....	64
John Jay, of New York	....	....	....	....	....	....	....	....	....	....	....	1	....	....	....	....	1
Total electoral vote	9	3	4	4	10	16	6	7	12	12	15	4	8	3	4	21	138

*There being no choice for President by the people, the election devolved upon the House of Representatives, and February 17, 1801, Thomas Jefferson was chosen by the votes of ten States, to four for Aaron Burr, and two *blank*.

ELECTION FOR THE FIFTH TERM, 1805–1809.

THOMAS JEFFERSON, President; GEORGE CLINTON, Vice-President.

Name of candidate.	Connecticut.	Delaware.	Georgia.	Kentucky.	Maryland.	Massachusetts.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Vermont.	Virginia.	Total.
For President:																		
Thomas Jefferson, of Virginia	.....	.....	6	8	9	19	7	8	19	14	3	20	4	10	5	6	24	162
Charles C. Pinckney, of South Carolina	9	3	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	14
For Vice-President:																		
George Clinton, of New York	.....	.....	6	8	9	19	7	8	19	14	3	20	4	10	5	6	24	162
Rufus King, of New York	9	3	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	14
Total electoral vote	9	3	6	8	11	19	7	8	19	14	3	20	4	10	5	6	24	176

ELECTION FOR THE SIXTH TERM, 1809–1813.

JAMES MADISON, President; GEORGE CLINTON, Vice-President.

Name of candidate.	Connecticut.	Delaware.	Georgia.	Kentucky.	Maryland.	Massachusetts.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Vermont.	Virginia.	Total.
For President:																		
James Madison, of Virginia	....	....	6	7	9	....	....	8	13	11	3	20	....	10	5	6	24	122
George Clinton, of New York	....	....	....	....	....	....	....	....	6	....	....	....	....	....	....	....	....	6
Charles C. Pinckney, of South Carolina	9	3	....	....	2	19	7	....	....	3	....	....	4	....	....	....	....	47
For Vice-President:																		
George Clinton, of New York	....	....	6	7	9	....	....	8	13	11	....	20	....	10	5	....	24	113
James Madison, of Virginia	....	....	....	....	....	....	....	....	3	....	....	....	....	....	....	....	....	3
James Monroe, of Virginia	....	....	....	....	....	....	....	....	3	....	....	....	....	....	....	....	....	3
John Langdon, of New Hampshire	....	....	....	....	....	....	....	....	....	....	3	....	....	....	....	6	....	9
Rufus King, of New York	9	3	....	....	2	19	7	....	....	3	....	....	4	....	....	....	....	47
Total electoral vote	9	3	6	7	11	19	7	8	19	14	3	20	4	10	5	6	24	175

ELECTION FOR THE SEVENTH TERM, 1813–1817.

JAMES MADISON, President; ELBRIDGE GERRY, Vice-President.

Name of candidate.	Connecticut.	Delaware.	Georgia.	Kentucky.	Louisiana.	Maryland.	Massachusetts.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Vermont.	Virginia.	Total.
For President:																			
James Madison, of Virginia	....	....	8	12	3	6	....	....	....	....	15	7	25	....	11	8	8	25	128
De Witt Clinton, of New York	9	4	....	....	....	5	22	8	8	29	....	....	....	4	....	....	....	....	89
For Vice-President:																			
Elbridge Gerry, of Massachusetts	....	....	8	12	3	6	2	1	....	....	15	7	25	....	11	8	8	25	131
Jared Ingersoll, of Pennsylvania	9	4	....	....	....	5	20	7	8	29	....	....	....	4	....	....	....	....	86
Total electoral vote	9	4	8	12	3	11	22	8	8	29	15	7	25	4	11	8	8	25	217

ELECTION FOR THE EIGHTH TERM, 1817–1821.

JAMES MONROE, President; DANIEL D. TOMPKINS, Vice-President.

Name of candidate.	Connecticut.	Delaware.	Georgia.	Indiana.	Kentucky.	Louisiana.	Maryland.	Massachusetts.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Vermont.	Virginia.	Total.
For President:																				
James Monroe, of Virginia	....	....	8	3	12	3	8	....	8	8	29	15	8	25	4	11	8	8	25	183
Rufus King, of New York	9	3	....	....	....	....	....	22	....	....	....	....	....	....	....	....	....	....	....	34
For Vice-President:																				
Daniel D. Tompkins, of New York	....	....	8	3	12	3	8	....	8	8	29	15	8	25	4	11	8	8	25	183
John E. Howard, of Maryland	....	....	....	....	....	....	....	22	....	....	....	....	....	....	....	....	....	....	....	22
James Ross, of Pennsylvania	5	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	5
John Marshall, of Virginia	4	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	4
Robert G. Harper, of Maryland	....	3	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	3
Total electoral vote	9	3	8	3	12	3	8	22	8	8	29	15	8	25	4	11	8	8	25	217

ELECTION FOR THE NINTH TERM, 1821–1825.

JAMES MONROE, President; DANIEL D. TOMPKINS, Vice-President.

Name of candidate.	Alabama.	Connecticut.	Delaware.	Georgia.	Illinois.	Indiana.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Mississippi.	Missouri.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Vermont.	Virginia.	Total.
For President:																									
James Monroe, of Virginia	3	9	4	8	3	3	12	3	9	11	15	2	3	7	8	29	15	8	24	4	11	7	8	25	231
John Quincy Adams, of Massachusetts	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	1
For Vice-President:																									
Daniel D. Tompkins, of New York	3	9	...	8	3	3	12	3	9	10	7	2	3	7	8	29	15	8	24	4	11	7	8	25	218
Richard Stockton, of New Jersey	...	...	...	...	...	...	...	...	...	...	8	...	...	...	...	...	...	...	...	...	...	...	...	...	8
Robert G. Harper, of Maryland	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1
Richard Rush, of Pennsylvania	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	1
Daniel Rodney, of Delaware	...	...	4	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	4
Total electoral vote	3	9	4	8	3	3	12	3	9	11	15	3	3	8	8	29	15	8	25	4	11	8	8	25	*235

*The whole number of electors appointed was 235, but one elector from each of the States of Pennsylvania, Tennessee, and Mississippi having died, the number of votes actually cast was 232.

ELECTION FOR THE TENTH TERM, 1825–1829.

JOHN QUINCY ADAMS, President; JOHN C. CALHOUN, Vice-President.

Name of candidate.	Alabama.	Connecticut.	Delaware.	Georgia.	Illinois.	Indiana.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Mississippi.	Missouri.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Vermont.	Virginia.	Total.
For President:																									
Andrew Jackson, of Tennessee	5				2	5		3		7		3			8	1	15		28		11	11			*99
John Quincy Adams, of Massachusetts		8	1		1			2	9	3	15			8		26				4			7		*84
William H. Crawford, of Georgia			2	9						1						5								24	41
Henry Clay, of Kentucky							14						3			4		16							37
For Vice-President:																									
John C. Calhoun, of South Carolina	5		1		3	5	7	5	9	10	15	3		7	8	29	15		28	3	11	11	7		182
Nathan Sanford, of New York							7									7		16							30
Nathaniel Macon, of North Carolina																								24	24
Andrew Jackson, of Tennessee		8								1			3	1											13
Martin Van Buren, of New York				9																					9
Henry Clay, of Kentucky			2																						2
Total electoral vote	5	8	3	9	3	5	14	5	9	11	15	3	3	8	8	36	15	16	28	4	11	11	7	24	261

*No choice for President having been made by the people, the election devolved upon the House of Representatives, and John Quincy Adams was elected, receiving the votes of thirteen States to seven for Andrew Jackson and four for William H. Crawford.

ELECTION FOR THE ELEVENTH TERM, 1829–1833.

ANDREW JACKSON, President; JOHN C. CALHOUN, Vice-President.

Name of candidate.	Alabama.	Connecticut.	Delaware.	Georgia.	Illinois.	Indiana.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Mississippi.	Missouri.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Vermont.	Virginia.	Total.
For President:																									
Andrew Jackson, of Tennessee	5	...	...	9	3	5	14	5	1	5	...	3	3	...	...	20	15	16	28	...	11	11	...	24	178
John Quincy Adams, of Massachusetts	...	8	3	...	...	...	...	...	8	6	15	...	...	8	8	16	...	...	...	4	...	...	7	..	83
For Vice-President:																									
John C. Calhoun, of South Carolina	5	..	...	2	3	5	14	5	1	5	...	3	3	...	...	20	15	16	28	...	11	11	...	24	171
Richard Rush, of Pennsylvania	...	8	3	...	...	...	...	...	8	6	15	...	...	8	8	16	...	...	...	4	...	...	7	...	83
William Smith, of South Carolina	...	...	...	7	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	7
Total electoral vote	5	8	3	9	3	5	14	5	9	11	15	3	3	8	8	36	15	16	28	4	11	11	7	24	261

ELECTION FOR THE TWELFTH TERM, 1833–1837.

ANDREW JACKSON, President; MARTIN VAN BUREN, Vice-President.

Name of candidate.	Alabama.	Connecticut.	Delaware.	Georgia.	Illinois.	Indiana.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Mississippi.	Missouri.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Vermont.	Virginia.	Total.
For President:																									
Andrew Jackson, of Tennessee	7	...	...	11	5	9	...	5	10	3	...	4	4	7	8	42	15	21	30	...	...	15	...	23	219
Henry Clay, of Kentucky	...	8	3	...	...	...	15	...	...	5	14	...	...	...	...	...	...	...	...	4	...	...	...	...	49
John Floyd, of Virginia	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	11	...	...	...	11
William Wirt, of Maryland	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	7	...	7
For Vice-President:																									
Martin Van Buren, of New York	7	...	...	11	5	9	...	5	10	3	...	4	4	7	8	42	15	21	...	...	...	15	...	23	189
John Sergeant, of Pennsylvania	...	8	3	...	...	...	15	...	...	5	14	...	...	...	...	...	...	...	...	4	...	...	...	...	49
William Wilkins, of Pennsylvania	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	30	...	...	...	...	...	30
Henry Lee, of Massachusetts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	11	...	...	...	11
Amos Ellmaker, of Pennsylvania	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	7	...	7
Total electoral vote	7	8	3	11	5	9	15	5	10	10	14	4	4	7	8	42	15	21	30	4	11	15	7	23	288

ELECTION FOR THE THIRTEENTH TERM, 1837–1841.

MARTIN VAN BUREN, President; RICHARD M. JOHNSON, Vice-President.

Name of candidate.	Alabama.	Arkansas.	Connecticut.	Delaware.	Georgia.	Illinois.	Indiana.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Michigan.	Mississippi.	Missouri.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Vermont.	Virginia.	Total.
For President:																											
Martin Van Buren, of New York	7	3	8	...	...	5	...	...	5	10	...	...	3	4	4	7	...	42	15	...	30	4	...	...	...	23	170
William H. Harrison, of Ohio	...	...	...	3	...	...	9	15	...	...	10	...	...	...	...	...	8	...	...	21	...	...	...	...	7	...	73
Hugh L. White, of Tennessee	...	...	...	...	11	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	15	...	...	26
Daniel Webster, of Massachusets	...	...	...	...	...	...	...	...	...	...	...	14	...	...	...	...	...	...	...	...	...	...	...	...	...	...	14
Willie P. Mangum, of North Carolina	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	11	...	...	...	11
For Vice-President:																											
Richard M. Johnson, of Kentucky	7	3	8	...	...	5	...	...	5	10	...	...	3	4	4	7	...	42	15	...	30	4	...	...	...	...	*147
Francis Granger, of New York	...	...	...	3	...	...	9	15	...	...	...	14	...	...	...	...	8	...	...	21	...	...	...	...	7	...	*77
John Tyler, of Virginia	...	...	...	...	11	...	...	...	...	...	10	...	...	...	...	...	...	...	...	...	...	...	11	15	...	...	47
William Smith, of Alabama	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	23	23
Total electoral vote	7	3	8	3	11	5	9	15	5	10	10	14	3	4	4	7	8	42	15	21	30	4	11	15	7	23	294

* There being no choice for Vice-President by the people, the election devolved upon the Senate of the United States. Richard M. Johnson received thirty-three votes and Francis Granger sixteen votes. Richard M. Johnson was thereupon declared elected Vice-President.

ELECTION FOR THE FOURTEENTH TERM, 1841–1845.

WILLIAM HENRY HARRISON,* President; JOHN TYLER, Vice-President.

Name of candidate.	Alabama.	Arkansas.	Connecticut.	Delaware.	Georgia.	Illinois.	Indiana.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Michigan.	Mississippi.	Missouri.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Vermont.	Virginia.	Total.
For President:																											
William H. Harrison, of Ohio	...	...	8	3	11	...	9	15	5	10	10	14	3	4	...	...	8	42	15	21	30	4	...	15	7	...	234
Martin Van Buren, of New York	7	3	...	...	...	5	...	...	...	...	...	...	...	...	4	7	...	...	...	...	...	...	11	...	...	23	60
For Vice-President:																											
John Tyler, of Virginia	...	...	8	3	11	...	9	15	5	10	10	14	3	4	...	...	8	42	15	21	30	4	...	15	7	...	234
R. M. Johnson, of Kentucky	7	3	...	...	...	5	...	...	...	...	...	...	...	...	4	7	...	...	...	...	...	...	...	...	...	22	48
L. W. Tazewell, of Virginia	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	11	...	...	...	11
James K. Polk, of Tennessee	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	1
Total electoral vote	7	3	8	3	11	5	9	15	5	10	10	14	3	4	4	7	8	42	15	21	30	4	11	15	7	23	294

*William Henry Harrison, ninth President of the United States, died at Washington, April 4, 1841. The duties of the Presidential office devolving, in this event, upon John Tyler, Vice-President, he accordingly took the oath of office April 6, 1841.

ELECTION FOR THE FIFTEENTH TERM, 1845–1849.

JAMES K. POLK, President; GEORGE M. DALLAS, Vice-President.

Name of candidate.	Alabama.	Arkansas.	Connecticut.	Delaware.	Georgia.	Illinois.	Indiana.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Michigan.	Mississippi.	Missouri.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Pennsylvania.	Rhode Island. *	South Carolina.	Tennessee.	Vermont.	Virginia.	Total.
For President:																											
James K. Polk, of Tennessee	9	3			10	9	12		6	9			5	6	7	6		36			26		9			17	170
Henry Clay, of Kentucky			6	3				12			8	12					7		11	23		4		13	6		105
For Vice-President:																											
George M. Dallas, of Pennsylvania	9	3			10	9	12		6	9			5	6	7	6		36			26		8			17	170
Theodore Frelinghuysen, of New Jersey			6	3				12			8	12					7		11	23		4		13	6		105
Total electoral vote	9	3	6	3	10	9	12	12	6	9	8	12	5	6	7	6	7	36	11	23	26	4	9	13	6	17	275

*And Providence Plantations.

ELECTION FOR THE SIXTEENTH TERM, 1849–1853.

ZACHARY TAYLOR,* President; MILLARD FILLMORE, Vice-President.

Name of candidate.	Alabama.	Arkansas.	Connecticut.	Delaware.	Florida.	Georgia.	Illinois.	Indiana.	Iowa.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Michigan.	Mississippi.
For President:																
Zachary Taylor, of Louisiana	....	....	6	3	3	10	....	....	....	12	6	....	8	12	....	....
Lewis Cass, of Michigan	9	3	....	....	....	....	9	12	4	....	....	9	....	....	5	6
For Vice-President:																
Millard Fillmore, of New York	....	....	6	3	3	10	....	....	....	12	6	....	8	12	....	....
W. O. Butler, of Kentucky	9	3	....	....	....	....	9	12	4	....	....	9	....	....	5	6
Total electoral vote	9	3	6	3	3	10	9	12	4	12	6	9	8	12	5	6

Name of candidate.	Missouri.	N. Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Texas.	Vermont.	Virginia.	Wisconsin.	Total.
For President:															
Zachary Taylor, of Louisiana	....	....	7	36	11	....	26	4	....	13	....	6	....	....	163
Lewis Cass, of Michigan	7	6	....	....	....	23	....	....	9	....	4	....	17	4	127
For Vice-President:															
Millard Fillmore, of New York	....	....	7	36	11	....	26	4	....	13	....	6	....	....	163
W. O. Butler, of Kentucky	7	6	....	....	....	23	....	....	9	....	4	....	17	4	127
Total electoral vote	7	6	7	36	11	23	26	4	9	13	4	6	17	4	290

* Zachary Taylor, twelfth President of the United States, died at Washington, July 9, 1850. The duties of the Presidential office devolving, in this event, upon the Vice-President, Millard Fillmore, he accordingly took the oath of office July 10, 1850.

ELECTION FOR THE SEVENTEENTH TERM, 1853–1857.

FRANKLIN PIERCE, President; WILLIAM R. KING, Vice-President.

Name of candidate.	Alabama.	Arkansas.	California.	Connecticut.	Delaware.	Florida.	Georgia.	Illinois.	Indiana.	Iowa.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Michigan.
For President:																
Franklin Pierce, of New Hampshire	9	4	4	6	3	3	10	11	13	4	....	6	8	8	....	6
Winfield Scott, of New Jersey											12				13	....
For Vice-President:																
William R. King, of Alabama	9	4	4	6	3	3	10	11	13	4	....	6	8	8	....	6
William A. Graham, of North Carolina											12				13	....
Total electoral vote	9	4	4	6	3	3	10	11	13	4	12	6	8	8	13	6

Name of candidate.	Mississippi.	Missouri.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Texas.	Vermont.	Virginia.	Wisconsin.	Total.
For President:																
Franklin Pierce, of New Hampshire	7	9	5	7	35	10	23	27	4	8	....	4	....	15	5	254
Winfield Scott, of New Jersey											12		5			42
For Vice-President:																
William R. King, of Alabama	7	9	5	7	35	10	23	27	4	8	....	4	....	15	5	254
William A. Graham, of North Carolina											12		5			42
Total electoral vote	7	9	5	7	35	10	23	27	4	8	12	4	5	15	5	296

ELECTION FOR THE EIGHTEENTH TERM, 1857–1861.

JAMES BUCHANAN, President; JOHN C. BRECKINRIDGE, Vice-President.

Name of candidate.	Alabama.	Arkansas.	California.	Connecticut.	Delaware.	Florida.	Georgia.	Illinois.	Indiana.	Iowa.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Michigan.
For President:																
James Buchanan, of Pennsylvania	9	4	4	....	3	3	10	11	13	....	12	6	....	....	....	....
John C. Frémont, of California	....	....	....	6	....	....	....	....	....	4	....	....	8	....	13	6
Millard Fillmore, of New York	....	....	....	....	....	....	....	....	....	....	....	....	....	8	....	....
For Vice-President:																
John C. Breckinridge, of Kentucky	9	4	4	....	3	3	10	11	13	....	12	6	....	....	....	....
William L. Dayton, of New Jersey	....	....	....	6	....	....	....	....	....	4	....	....	8	....	13	6
Andrew J. Donelson, of Tennessee	....	....	....	....	....	....	....	....	....	....	....	....	....	8	....	....
Total electoral vote	9	4	4	6	3	3	10	11	13	4	12	6	8	8	13	6

Name of candidate.	Mississippi.	Missouri.	N. Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Texas.	Vermont.	Virginia.	Wisconsin.	Total.
For President:																
James Buchanan, of Pennsylvania	7	9	....	7	....	10	....	27	....	8	12	4	....	15	....	174
John C. Frémont, of California	....	....	5	....	35	....	23	....	4	....	....	....	5	....	5	114
Millard Fillmore, of New York	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	8
For Vice-President:																
John C. Breckinridge, of Kentucky	7	9	....	7	....	10	....	27	....	8	12	4	....	15	....	174
William L. Dayton, of New Jersey	....	....	5	....	35	....	23	....	4	....	....	....	5	....	5	114
Andrew J. Donelson, of Tennessee	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	8
Total electoral vote	7	9	5	7	35	10	23	27	4	8	12	4	5	15	5	296

ELECTION FOR THE NINETEENTH TERM, 1861–1865.

ABRAHAM LINCOLN, President; HANNIBAL HAMLIN, Vice-President.

Name of candidate.	Alabama.	Arkansas.	California.	Connecticut.	Delaware.	Florida.	Georgia.	Illinois.	Indiana.	Iowa.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Michigan.	Minnesota.
For President:																	
Abraham Lincoln, of Illinois	...	...	4	6	...	...	...	11	13	4	...	...	8	...	13	6	4
John C. Breckinridge, of Kentucky	9	4	...	...	3	3	10	...	...	...	...	6	...	8	...	...	...
John Bell, of Tennessee	...	...	...	...	...	...	...	...	...	...	12	...	...	...	...	...	...
Stephen A. Douglas, of Illinois	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
For Vice-President:																	
Hannibal Hamlin, of Maine	...	...	4	6	...	...	...	11	13	4	...	...	8	...	13	6	4
Joseph Lane, of Oregon	9	4	...	...	3	3	10	...	...	...	...	6	...	8	...	...	...
Edward Everett, of Massachusetts	...	...	...	...	...	...	...	...	...	...	12	...	...	...	...	...	...
Herschel V. Johnson, of Georgia	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total electoral vote	9	4	4	6	3	3	10	11	13	4	12	6	8	8	13	6	4

ELECTION FOR THE NINETEENTH TERM, 1861–1865—Continued.

ABRAHAM LINCOLN, President; HANNIBAL HAMLIN, Vice-President.

Name of candidate.	Mississippi.	Missouri.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Oregon.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Texas.	Vermont.	Virginia.	Wisconsin.	Total.
For President:																	
Abraham Lincoln, of Illinois			5	4	35		23	3	27	4				5		5	180
John C. Breckinridge, of Kentucky	7					10					8		4				72
John Bell, of Tennessee												12			15		39
Stephen A. Douglas, of Illinois		9		3													12
For Vice-President:																	
Hannibal Hamlin, of Maine			5	4	35		23	3	27	4				5		5	180
Joseph Lane, of Oregon	7					10					8		4				72
Edward Everett, of Massachusetts												12			15		39
Herschel V. Johnson, of Georgia		9		3													12
Total electoral vote	7	9	5	7	35	10	23	3	27	4	8	12	4	5	15	5	303

ELECTION FOR THE TWENTIETH TERM, 1865–1869.

ABRAHAM LINCOLN,* President; ANDREW JOHNSON, Vice-President.

Name of candidate.	Alabama.	Arkansas.	California.	Connecticut.	Delaware.	Florida.	Georgia.	Illinois.	Indiana.	Iowa.	Kansas.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Michigan.	Minnesota.	Mississippi.
For President:																			
Abraham Lincoln, of Illinois			5	6				16	13	8	3			7	7	12	8	4	
George B. McClellan, of New Jersey					3							11							
For Vice-President:																			
Andrew Johnson, of Tennessee			5	6				16	13	8	3			7	7	12	8	4	
George H. Pendleton, of Ohio					3							11							
Total electoral vote			5	6	3			16	13	8	3	11		7	7	12	8	4	

Name of candidate.	Missouri.	Nevada.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Oregon.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Texas.	Vermont.	Virginia.	West Virginia.	Wisconsin.	Total.
For President:																		
Abraham Lincoln, of Illinois	11	2	5		33		21	3	26	4				5		5	8	212
George B. McClellan, of New Jersey				7														21
For Vice-President:																		
Andrew Johnson, of Tennessee	11	2	5		33		21	3	26	4				5		5	8	212
George H. Pendleton, of Ohio				7														21
Total electoral vote	11	2	5	7	33		21	3	26	4				5		5	8	233

*Abraham Lincoln, the sixteenth President of the United States, was assassinated on the night of April 14, 1865, and died the following morning. The duties of the Presidential office devolving, in this event, upon the Vice-President, Andrew Johnson, he accordingly took the oath of office April 15, 1865.

ELECTION FOR THE TWENTY-FIRST TERM, 1869–1873.

ULYSSES S. GRANT, President; SCHUYLER COLFAX, Vice-President.

Name of candidate.	Alabama.	Arkansas.	California.	Connecticut.	Delaware.	Florida.	Georgia.	Illinois.	Indiana.	Iowa.	Kansas.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Michigan.	Minnesota.	Mississippi.	Missouri.
For President:																				
Ulysses S. Grant, of Illinois	8	5	5	6	....	3	....	16	13	8	3	....	....	7	....	12	8	4	....	11
Horatio Seymour, of New York	....	....	....	....	3	....	9	....	....	....	....	11	7	....	7	....	....	....	....	....
For Vice-President:																				
Schuyler Colfax, of Indiana	8	5	5	6	....	3	....	16	13	8	3	....	....	7	....	12	8	4	....	11
Francis P. Blair, jr., of Missouri	....	....	....	....	3	....	9	....	....	....	....	11	7	....	7	....	....	....	....	....
Total electoral vote	8	5	5	6	3	3	9	16	13	8	3	11	7	7	7	12	8	4	....	11

Name of candidate.	Nebraska.	Nevada.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Oregon.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Texas.	Vermont.	Virginia.	West Virginia.	Wisconsin.	Total, excluding vote of Georgia.	Total, including vote of Georgia.
For President:																			
Ulysses S. Grant, of Illinois	3	3	5	....	....	9	21	....	26	4	6	10	....	5	....	5	8	214	214
Horatio Seymour, of New York	....	....	....	7	33	....	....	3	....	....	....	....	....	....	....	....	....	71	80
For Vice-President:																			
Schuyler Colfax, of Indiana	3	3	5	....	....	9	21	....	26	4	6	10	....	5	....	5	8	214	214
Francis P. Blair, jr., of Missouri	....	....	....	7	33	....	....	3	....	....	....	....	....	....	....	....	....	71	80
Total electoral vote	3	3	5	7	33	9	21	3	26	4	6	10	....	5	....	5	8	285	294

ELECTION FOR THE TWENTY-SECOND TERM, 1873–1877.

ULYSSES S. GRANT, President; HENRY WILSON, Vice-President.

Name of candidate.	Alabama.	Arkansas.	California.	Connecticut.	Delaware.	Florida.	Georgia.	Illinois.	Indiana.	Iowa.	Kansas.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Michigan.	Minnesota.	Mississippi.
For President:																			
Ulysses S. Grant, of Illinois	10	....	6	6	3	4	....	21	15	11	5	....	....	7	....	13	11	5	8
Horace Greeley, of New York																			
B. Gratz Brown, of Missouri							6					4							
Thomas A. Hendricks, of Indiana												8			8				
Charles J. Jenkins, of Georgia							2												
David Davis, of Illinois																			
For Vice-President:																			
Henry Wilson, of Massachusetts	10	....	6	6	3	4	....	21	15	11	5	....	....	7	....	13	11	5	8
B. Gratz Brown, of Missouri							5					8			8				
N. P. Banks, of Massachusetts							1												
George W. Julian, of Indiana																			
Alfred H. Colquitt, of Georgia							5												
John M. Palmer, of Illinois																			
Thomas E. Bramlette, of Kentucky												3							
William S. Groesbeck, of Ohio																			
Willis B. Machen, of Kentucky												1							
Total electoral vote	10	....	6	6	3	4	11	21	15	11	5	12	....	7	8	13	11	5	8

ELECTION FOR THE TWENTY-SECOND TERM, 1873–1877—Continued.

ULYSSES S. GRANT, President; HENRY WILSON, Vice-President.

Name of candidate.	Missouri.	Nebraska.	Nevada.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Oregon.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Texas.	Vermont.	Virginia.	West Virginia.	Wisconsin.	Total.
For President:																			
Ulysses S. Grant, of Illinois		3	3	5	9	35	10	22	3	29	4	7			5	11	5	10	286
Horace Greeley, of New York																			
B. Gratz Brown, of Missouri	8																		18
Thomas A. Hendricks, of Indiana	6												12	8					42
Charles J. Jenkins, of Georgia																			2
David Davis, of Illinois	1																		1
For Vice-President:																			
Henry Wilson, of Massachusetts		3	3	5	9	35	10	22	3	29	4	7			5	11	5	10	286
B. Gratz Brown, of Missouri	6												12	8					47
N. P. Banks, of Massachusetts																			1
George W. Julian, of Indiana	5																		5
Alfred H. Colquitt, of Georgia																			5
John M. Palmer, of Illinois	3																		3
Thomas E. Bramlette, of Kentucky																			3
William S. Groesbeck, of Ohio	1																		1
Willis B. Machen, of Kentucky																			1
Total electoral vote	15	3	3	5	9	35	10	22	3	29	4	7	12	8	5	11	5	10	352

ELECTION FOR THE TWENTY-THIRD TERM, 1877–1881.

RUTHERFORD B. HAYES, President; WILLIAM A. WHEELER, Vice-President.

Name of candidate.	Alabama.	Arkansas.	California.	Colorado.	Connecticut.	Delaware.	Florida.	Georgia.	Illinois.	Indiana.	Iowa.	Kansas.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Michigan.	Minnesota.	Mississippi.
For President:																				
Rutherford B. Hayes, of Ohio	....	....	6	3	....	....	4	....	21	....	11	5	....	8	7	....	13	11	5	....
Samuel J. Tilden, of New York	10	6	....	....	6	3	....	11	....	15	....	....	12	....	....	8	....	....	....	8
For Vice-President:																				
William A. Wheeler, of New York	....	....	6	3	....	....	4	....	21	....	11	5	....	8	7	....	13	11	5	....
Thomas A. Hendricks, of Indiana	10	6	....	....	6	3	....	11	....	15	....	....	12	....	....	8	....	....	....	8
Total electoral vote	10	6	6	3	6	3	4	11	21	15	11	5	12	8	7	8	13	11	5	8

Name of candidate.	Missouri.	Nebraska.	Nevada.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Oregon.	Rhode Island.	Pennsylvania.	South Carolina.	Tennessee.	Texas.	Vermont.	Virginia.	West Virginia.	Wisconsin.	Total.
For President:																			
Rutherford B. Hayes, of Ohio	....	3	3	5	....	....	....	22	3	4	29	7	....	....	5	....	....	10	185
Samuel J. Tilden, of New York	15	....	....	....	9	35	10	....	....	....	....	....	12	8	....	11	5	....	184
For Vice-President:																			
William A. Wheeler, of New York	....	3	3	5	....	....	....	22	3	4	29	7	....	....	5	....	....	10	185
Thomas A. Hendricks, of Indiana	15	....	....	....	9	35	10	....	....	....	....	....	12	8	....	11	5	....	184
Total electoral vote	15	3	3	5	9	35	10	22	3	4	29	7	12	8	5	11	5	10	369

ELECTION FOR THE TWENTY-FOURTH TERM, 1881–1885.

JAMES A. GARFIELD,* President; CHESTER A. ARTHUR, Vice-President.

Name of candidate.	Alabama.	Arkansas.	California.	Colorado.	Connecticut.	Delaware.	Florida.	Georgia.	Illinois.	Indiana.	Iowa.	Kansas.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Michigan.	Minnesota.	Mississippi.
For President:																				
James A. Garfield, of Ohio	...	...	1	3	6	...	...	...	21	15	11	5	...	...	7	....	13	11	5	....
Winfield S. Hancock, of Pennsylvania	10	6	5	...	...	3	4	11	....	...	...	...	12	8	....	8	...	...	...	8
For Vice-President:																				
Chester A. Arthur, of New York	...	....	1	3	6	...	...	...	21	15	11	5	....	....	7	....	13	11	5	....
William H. English, of Indiana	10	6	5	...	...	3	4	11	...	...	...	...	12	8	....	8	....	...	...	8
Total electoral vote	10	6	6	3	6	3	4	11	21	15	11	5	12	8	7	8	13	11	5	8

Name of candidate.	Missouri.	Nebraska.	Nevada.	N. Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Oregon.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Texas.	Vermont.	Virginia.	West Virginia.	Wisconsin.	Total.
For President:																			
James A. Garfield, of Ohio	....	3	....	5	....	35	....	22	3	29	4	...	...	...	5	...	...	10	214
Winfield S. Hancock, of Pennsylvania	15	...	3	....	9	....	10	....	...	...	...	7	12	8	....	11	5	.....	† 155
For Vice-President:																			
Chester A. Arthur, of New York	....	3	...	5	....	35	....	22	3	29	4	...	...	...	5	...	...	10	214
William H. English, of Indiana	15	....	3	....	9	....	10	....	...	...	...	7	12	8	....	11	5	.....	† 155
Total electoral vote	15	3	3	5	9	35	10	22	3	29	4	7	12	8	5	11	5	10	369

* James A. Garfield, the twentieth President of the United States, was shot by an assassin July 2, 1881, and died from the effects of his wounds September 19, 1881. The duties of the Presidential office devolving, in this event, upon the Vice-President, Chester A. Arthur, he accordingly took the oath of office in New York City, September 20, 1881, and again formally took the oath of office at Washington, September 22, 1881.

† The vote of Georgia, cast on the 8th of December, second Wednesday of the month, if not counted would reduce this total to 144.

ELECTION FOR THE TWENTY-FIFTH TERM, 1885-1889.

GROVER CLEVELAND, President; THOMAS A. HENDRICKS,* Vice-President.

Name of candidate.	Alabama.	Arkansas.	California.	Colorado.	Connecticut.	Delaware.	Florida.	Georgia.	Illinois.	Indiana.	Iowa.	Kansas.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Michigan.	Minnesota.	Mississippi.
For President:																				
Grover Cleveland, of New York	10	7	8	3	6	3	4	12	22	15	13	9	13	8	6	8	14	13	7	9
James G. Blaine, of Maine																				
For Vice-President:																				
Thomas A. Hendricks, of Indiana	10	7	8	3	6	3	4	12	22	15	13	9	13	8	6	8	14	13	7	9
John A. Logan, of Illinois																				
Total electoral vote	10	7	8	3	6	3	4	12	22	15	13	9	13	8	6	8	14	13	7	9

Name of candidate.	Missouri.	Nebraska.	Nevada.	New Hampshire.	New Jersey.	New York.	North Carolina.	Ohio.	Oregon.	Pennsylvania.	Rhode Island.	South Carolina.	Tennessee.	Texas.	Vermont.	Virginia.	West Virginia.	Wisconsin.	Total.
For President:																			
Grover Cleveland, of New York	16	5	3	4	9	36	11	23	3	30	4	9	12	13	4	12	6	11	219
James G. Blaine, of Maine																			182
For Vice-President:																			
Thomas A. Hendricks, of Indiana	16	5	3	4	9	36	11	23	3	30	4	9	12	13	4	12	6	11	219
John A. Logan, of Illinois																			182
Total electoral vote	16	5	3	4	9	36	11	23	3	30	4	9	12	13	4	12	6	11	401

* Thomas A. Hendricks died at Indianapolis, Ind., November 25, 1885, aged 66 years.

ELECTION FOR THE TWENTY-SIXTH TERM, 1889–1893.

BENJAMIN HARRISON, President; LEVI P. MORTON, Vice-President.

Name of candidate.	Alabama.	Arkansas.	California.	Colorado.	Connecticut.	Delaware.	Florida.	Georgia.	Illinois.	Indiana.	Iowa.	Kansas.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Michigan.	Minnesota.	Mirsissippi.
For President:																				
Benjamin Harrison, of Indiana			8	3					22	15	13	9			6		14	13	7	
Grover Cleveland, of New York	10	7			6	3	4	12					13	8		8				9
For Vice-President:																				
Levi P. Morton, of New York			8	3					22	15	13	9			6		14	13	7	
Allen G. Thurman, of Ohio	10	7			6	3	4	12					13	8		8				9
Total electoral vote	10	7	8	3	6	3	4	12	22	15	13	9	13	8	6	8	14	13	7	9

Name of candidate.	Missouri.	Nebraska.	Nevada.	New Hampshire.	New Jersey	New York.	North Carolina.	Ohio.	Oregon.	Pennsylvania.	Rhode Island.	South Carolinn.	Tennessee.	Texas.	Vermont.	Virginia.	West Virginia.	Wisconsin.	Total.
For President:																			
Benjamin Harrison, of Indiana		5	3	4		36		23	3	30	4				4			11	233
Grover Cleveland, of New York	16				9		11					9	12	13		12	6		168
For Vice-President:																			
Levi P. Morton, of New York		5	3	4		36		23	3	30	4				4			11	233
Allen G. Thurman, of Ohio	16				9		11					9	12	13		12	6		168
Total electoral vote	16	5	3	4	9	36	11	23	3	30	4	9	12	13	4	12	6	11	401

ELECTION FOR THE TWENTY-SEVENTH TERM, 1893–1897.

GROVER CLEVELAND, President; ADLAI E. STEVENSON, Vice-President.

Name of candidate.	Alabama.	Arkansas.	California.	Colorado.	Connecticut.	Delaware.	Florida.	Georgia.	Idaho.	Illinois.	Indiana.	Iowa.	Kansas.	Kentucky.	Louisiana.	Maine.	Maryland.	Massachusetts.	Michigan.	Minnesota.	Mississippi.	Missouri.	Montana.
For President:																							
Grover Cleveland, of New York	11	8	8	...	6	3	4	13	....	24	15	....	....	13	8	....	8	....	5	....	9	17	....
Benjamin Harrison, of Indiana	....	....	1	....	....	....	....	....	....	....	....	13	....	....	....	6	....	15	9	9	....	....	3
James B. Weaver, of Iowa	....	....	....	4	....	....	....	....	3	....	....	....	10	....	....	....	....	....	....	....	....	....	....
For Vice-President:																							
Adlai E. Stevenson, of Illinois	11	8	8	...	6	3	4	13	....	24	15	....	....	13	8	....	8	....	5	....	9	17	....
Whitelaw Reid, of New York	....	....	1	....	....	....	....	....	....	....	....	13	....	....	....	6	....	15	9	9	....	....	3
James G. Field, of Virginia	....	....	....	4	....	....	....	....	3	....	....	....	10	....	....	....	....	....	....	....	....	....	....
Total electoral vote	11	8	9	4	6	3	4	13	3	24	15	13	10	13	8	6	8	15	14	9	9	17	3

Name of candidate.	Nebraska.	Nevada.	N. Hampshire.	New Jersey.	New York.	North Carolina.	North Dakota.	Ohio.	Oregon.	Pennsylvania.	Rhode Island.	South Carolina.	South Dakota.	Tennessee.	Texas.	Vermont.	Virginia.	Washington.	West Virginia.	Wisconsin.	Wyoming.	Total.
For President:																						
Grover Cleveland, of New York	....	....	....	10	36	11	1	1	....	....	....	9	....	12	15	....	12	....	6	12	....	277
Benjamin Harrison, of Indiana	8	....	4	....	....	....	1	22	3	32	4	....	4	....	....	4	....	4	....	....	3	145
James B. Weaver, of Iowa	....	3	....	....	....	....	1	....	1	....	....	....	....	....	....	....	....	....	....	....	....	22
For Vice-President:																						
Adlai E. Stevenson, of Illinois	....	....	....	10	36	11	1	1	....	....	....	9	....	12	15	....	12	....	6	12	....	277
Whitelaw Reid, of New York	8	....	4	....	....	....	1	22	3	32	4	....	4	....	....	4	....	4	....	....	3	145
James G. Field, of Virginia	....	3	....	....	....	....	1	....	1	....	....	....	....	....	....	....	....	....	....	....	....	22
Total electoral vote	8	3	4	10	36	11	3	23	4	32	4	9	4	12	15	4	12	4	6	12	3	444

JUSTICES OF THE SUPREME COURT, 1789 TO 1896.

Name.	State whence appointed.	Term of years.	Years of service.
CHIEF JUSTICES.			
1. John Jay	New York	1789–1795	6
2. John Rutledge	South Carolina	1795	.....
3. Oliver Ellsworth	Connecticut	1796–1801	5
4. John Marshall	Virginia	1801–1835	34
5. Roger B. Taney	Maryland	1836–1864	28
6. Salmon P. Chase	Ohio	1864–1873	9
7. Morrison R. Waite	.....do	1874–1888	14
8. Melville W. Fuller	Illinois	1888	.....
ASSOCIATE JUSTICES.			
1. John Rutledge	South Carolina	1789–1791	2
2. William Cushing	Massachusetts	1789–1810	21
3. James Wilson	Pennsylvania	1789–1798	9
4. John Blair	Virginia	1789–1796	7
5. Robert H. Harrison	Maryland	1789–1790	1
6. James Iredell	North Carolina	1790–1799	9
7. Thomas Johnson	Maryland	1791–1793	2
8. William Patterson	New Jersey	1793–1806	13
9. Samuel Chase	Maryland	1796–1811	15
10. Bushrod Washington	Virginia	1798–1829	31
11. Alfred Moore	North Carolina	1799–1804	5
12. William Johnson	South Carolina	1804–1834	30
13. Brockholst Livingston	New York	1806–1823	17
14. Thomas Todd	Kentucky	1807–1826	19
15. Joseph Story	Massachusetts	1811–1845	34
16. Gabriel Duval	Maryland	1811–1836	25
17. Smith Thompson	New York	1823–1845	22
18. Robert Trimble	Kentucky	1826–1828	2
19. John McLean	Ohio	1829–1861	32
20. Henry Baldwin	Pennsylvania	1830–1846	16

JUSTICES OF THE SUPREME COURT, 1789 TO 1896—Continued.

Name.	State whence appointed.	Term of years.	Years of service.
ASSOCIATE JUSTICES—continued.			
21. James M. Wayne	Georgia	1835–1867	32
22. Philip P. Barbour	Virginia	1836–1841	5
23. John Catron	Tennessee	1837–1865	28
24. John McKinley	Alabama	1837–1852	15
25. Peter V. Daniel	Virginia	1841–1860	19
26. Samuel Nelson	New York	1845–1872	27
27. Levi Woodbury	New Hampshire	1845–1851	6
28. Robert C. Grier	Pennsylvania	1846–1869	23
29. Benjamin R. Curtis	Massachusetts	1851–1857	6
30. John A. Campbell	Alabama	1853–1861	8
31. Nathan Clifford	Maine	1858–1881	23
32. Noah H. Swayne	Ohio	1861–1881	20
33. Samuel F. Miller	Iowa	1862–1890	28
34. David Davis	Illinois	1862–1877	15
35. Stephen J. Field	California	1863	.....
36. William Strong	Pennsylvania	1870–1880	10
37. Joseph P. Bradley	New Jersey	1870–1892	22
38. Ward Hunt	New York	1872–1882	10
39. John M. Harlan	Kentucky	1877	.....
40. William B. Woods	Georgia	1880–1887	7
41. Stanley Matthews	Ohio	1881–1889	8
42. Horace Gray	Massachusetts	1881	.....
43. Samuel Blatchford	New York	1882–1893	11
44. Lucius Q. C. Lamar	Mississippi	1888–1893	5
45. David J. Brewer	Kansas	1889	.....
46. Henry B. Brown	Michigan	1890	.....
47. George Shiras, jr.	Pennsylvania	1892	.....
48. Howell E. Jackson	Tennessee	1893–1895	2
49. Edward D. White	Louisiana	1894	.....
50. Rufus W. Peckham	New York	1895	.....

CABINET OFFICERS, 1789 TO 1896.

SECRETARIES OF STATE.

Name.	When appointed.	President.
1. Thomas Jefferson	Sept. 26, 1789	George Washington.
Do	Mar. 4, 1793	Do.
2. Edmund Randolph	Jan. 2, 1794	Do.
3. Timothy Pickering	Dec. 10, 1795	Do.
Do	Mar. 4, 1797	John Adams.
4. John Marshall	May 13, 1800	Do.
5. James Madison	Mar. 5, 1801	Thomas Jefferson.
Do	Mar. 4, 1805	Do.
6. Robert Smith	Mar. 6, 1809	James Madison.
7. James Monroe	Apr. 2, 1811	Do.
Do	Mar. 4, 1813	Do.
8. John Quincy Adams	Mar. 5, 1817	James Monroe.
Do	Mar. 5, 1821	Do.
9. Henry Clay	Mar. 7, 1825	John Quincy Adams.
10. Martin Van Buren	Mar. 6, 1829	Andrew Jackson.
11. Edward Livingston	May 24, 1831	Do.
12. Louis McLane	May 29, 1833	Do.
13. John Forsyth	June 27, 1834	Do.
Do	Mar. 4, 1837	Martin Van Buren.
14. Daniel Webster	Mar. 5, 1841	William H. Harrison.
Do	Apr. 6, 1841	John Tyler.
15. Hugh S. Legaré	May 9, 1843	Do.
16. Abel P. Upshur	July 24, 1843	Do.
17. John C. Calhoun	Mar. 6, 1844	Do.
18. James Buchanan	Mar. 6, 1845	James K. Polk.
19. John M. Clayton	Mar. 7, 1849	Zachary Taylor.
20. Daniel Webster	July 22, 1850	Millard Fillmore.
21. Edward Everett	Nov. 6, 1852	Do.
22. William L. Marcy	Mar. 7, 1853	Franklin Pierce.
23. Lewis Cass	Mar. 6, 1857	James Buchanan.
24. Jeremiah S. Black	Dec. 17, 1860	Do.
25. William H. Seward	Mar. 5, 1861	Abraham Lincoln.
Do	Mar. 4, 1865	Do.
Do	Apr. 15, 1865	Andrew Johnson.
26. Elihu B. Washburne	Mar. 5, 1869	Ulysses S. Grant.
27. Hamilton Fish	Mar. 11, 1869	Do.
Do	Mar. 17, 1873	Do.
28. William M. Evarts	Mar. 12, 1877	Rutherford B. Hayes.
29. James G. Blaine	Mar. 5, 1881	James A. Garfield.
30. F. T. Frelinghuysen	Dec. 12, 1881	Chester A. Arthur.

CABINET OFFICERS, 1789 TO 1896—Continued.

SECRETARIES OF STATE—Continued.

Name	When appointed.	President.
31. Thomas F. Bayard	Mar. 6, 1885	Grover Cleveland.
32. James G. Blaine	Mar. 5, 1889	Benjamin Harrison.
33. John W. Foster	June 29, 1892	Do.
34. Walter Q. Gresham	Mar. 6, 1893	Grover Cleveland.
35. Richard Olney	June 8, 1895	Do.

SECRETARIES OF THE TREASURY.

1. Alexander Hamilton	Sept. 11, 1789	George Washington.
Do	Mar. 4, 1793	Do.
2. Oliver Wolcott, jr	Feb. 2, 1795	Do.
Do	Mar. 4, 1797	John Adams.
3. Samuel Dexter	Jan. 1, 1801	Do.
Do	Mar. 4, 1801	Thomas Jefferson.
4. Albert Gallatin	May 14, 1805	Do.
Do	Mar. 4, 1805	Do.
Do	Mar. 4, 1809	James Madison.
5. George W. Campbell	Feb. 9, 1814	Do.
6. Alexander J. Dallas	Oct. 6, 1814	Do.
7. William H. Crawford	Oct. 22, 1816	Do.
Do	Mar. 5, 1817	James Monroe.
Do	Mar. 5, 1821	Do.
8. Richard Rush	Mar. 7, 1825	John Quincy Adams.
9. Samuel D. Ingham	Mar. 6, 1829	Andrew Jackson.
10. Louis McLane	Aug. 8, 1831	Do.
11. William J. Duane	May 29, 1833	Do.
12. Roger B. Taney	Sept. 23, 1833	Do.
13. Levi Woodbury	June 27, 1834	Do.
Do	Mar. 4, 1837	Martin Van Buren.
14. Thomas Ewing	Mar. 5, 1841	William H. Harrison.
Do	Apr. 6, 1841	John Tyler.
15. Walter Forward	Sept. 13, 1841	Do.
16. John C. Spencer	Mar. 3, 1843	Do.
17. George M. Bibb	June 15, 1844	Do.
18. Robert J. Walker	Mar. 6, 1845	James K. Polk.
19. William M. Meredith	Mar. 8, 1849	Zachary Taylor.
20. Thomas Corwin	July 23, 1850	Millard Fillmore.
21. James Guthrie	Mar. 7, 1853	Franklin Pierce.
22. Howell Cobb	Mar. 6, 1857	James Buchanan.

CABINET OFFICERS, 1789 TO 1896—Continued.

SECRETARIES OF THE TREASURY—Continued.

Name.	When appointed.	President.
23. Phillip F. Thomas	Dec. 12, 1860	James Buchanan.
24. John A. Dix	Jan. 11, 1861	Do.
25. Salmon P. Chase	Mar. 5, 1861	Abraham Lincoln.
26. William Pitt Fessenden	July 1, 1864	Do.
27. Hugh McCulloch	Mar. 7, 1865	Do.
Do	Apr. 15, 1865	Andrew Johnson.
28. George S. Boutwell	Mar. 11, 1869	Ulysses S. Grant.
29. William A. Richardson	Mar. 17, 1873	Do.
30. Benjamin H. Bristow	June 2, 1874	Do.
31. Lot M. Morrill	June 21, 1876	Do.
32. John Sherman	Mar. 8, 1877	Rutherford B. Hayes.
33. William Windom	Mar. 5, 1881	James A. Garfield.
34. Charles J. Folger	Oct. 27, 1881	Chester A. Arthur.
35. Walter Q. Gresham	Sept. 24, 1884	Do.
36. Hugh McCulloch	Oct. 28, 1884	Do.
37. Daniel Manning	Mar. 6, 1885	Grover Cleveland.
38. Charles S. Fairchild	Apr. 1, 1887	Do.
39. William Windom	Mar. 5, 1889	Benjamin Harrison.
40. Charles Foster	Feb. 24, 1891	Do.
41. John G. Carlisle	Mar. 6, 1893	Grover Cleveland.

SECRETARIES OF WAR.

1. Henry Knox	Sept. 12, 1789	George Washington.
Do	Mar. 4, 1793	Do.
2. Timothy Pickering	Jan. 2, 1795	Do.
3. James McHenry	Jan. 27, 1796	Do.
Do	Mar. 4, 1797	John Adams.
4. Samuel Dexter	May 13, 1800	Do.
5. Roger Griswold	Feb. 3, 1801	Do.
6. Henry Dearborn	Mar. 5, 1801	Thomas Jefferson.
Do	Mar. 4, 1805	Do.
7. William Eustis	Mar. 7, 1809	James Madison.
8. John Armstrong	Jan. 13, 1813	Do.
Do	Mar. 4, 1813	Do.
9. James Monroe	Sept. 27, 1814	Do.
10. William H. Crawford	Aug. 1, 1815	Do.
11. George Graham	Apr. 7, 1817	James Monroe.
12. John C. Calhoun	Oct. 8, 1817	James Monroe.
Do	Mar. 5, 1821	Do.

CABINET OFFICERS, 1789 TO 1896—Continued.

SECRETARIES OF WAR—Continued.

	Name.	When appointed.	President.
23.	James Barbour	Mar. 7, 1825	John Quincy Adams.
24.	Peter B. Porter	May 26, 1828	Do.
25.	John H. Eaton	Mar. 9, 1829	Andrew Jackson.
26.	Lewis Cass	Aug. 1, 1831	Do.
	Do.	Mar. 4, 1833	Do.
27.	Joel R. Poinsett	Mar. 7, 1837	Martin Van Buren.
28.	John Bell	Mar. 5, 1841	William H. Harrison.
	Do.	Apr. 6, 1841	John Tyler.
29.	John McLean	Sept. 13, 1841	Do.
30.	John C. Spencer	Oct. 12, 1841	Do.
31.	James M. Porter	Mar. 8, 1843	Do.
32.	William Wilkins	Feb. 15, 1844	Do.
33.	William L. Marcy	Feb. 6, 1845	James K. Polk.
34.	George W. Crawford	Mar. 8, 1849	Zachary Taylor.
35.	Charles M. Conrad	Aug. 15, 1850	Millard Fillmore.
36.	Jefferson Davis	Mar. 7, 1853	Franklin Pierce.
37.	John B. Floyd	Mar. 6, 1857	James Buchanan.
38.	Joseph Holt	Jan. 18, 1861	Do.
39.	Simon Cameron	Mar. 5, 1861	Abraham Lincoln.
40.	Edwin M. Stanton	Jan. 15, 1862	Do.
	Do.	Mar. 4, 1865	Do.
	Do.	Apr. 15, 1865	Andrew Johnson.
	Ulysses S. Grant	Aug. 12, 1867	Do.
	Lorenzo Thomas	Feb. 21, 1868	Do.
41.	John M. Schofield	May 28, 1868	Do.
42.	John A. Rawlins	Mar. 11, 1869	Ulysses S. Grant.
43.	William W. Belknap	Oct. 25, 1869	Do.
	Do.	Mar. 4, 1873	Do.
44.	Alphonso Taft	Mar. 8, 1876	Do.
45.	James D. Cameron	May 22, 1876	Do.
46.	George W. McCrary	Mar. 12, 1877	Rutherford B. Hayes.
47.	Alexander Ramsay	Dec. 10, 1879	Do.
48.	Robert T. Lincoln	Mar. 5, 1881	James A. Garfield.
	Do.	Sept. 20, 1881	Chester A. Arthur.
49.	William C. Endicott	Mar. 6, 1885	Grover Cleveland.
50.	Redfield Proctor	Mar. 5, 1889	Benjamin Harrison.
51.	Stephen B. Elkins	Dec. 22, 1891	Do.
52.	Daniel S. Lamont	Mar. 6, 1893	Grover Cleveland.

CABINET OFFICERS, 1789 TO 1896—Continued.

SECRETARIES OF THE NAVY.

Name.	When appointed.	President.
1. Benjamin Stoddert	May 21, 1798	John Adams.
Do	Mar. 4, 1801	Thomas Jefferson.
2. Robert Smith	July 15, 1801	Do.
3. J. Crowninshield	Mar. 3, 1805	Do.
4. Paul Hamilton	Mar. 7, 1809	James Madison.
5. William Jones	Jan. 12, 1813	Do.
Do	Mar. 4, 1813	Do.
6. B. W. Crowninshield	Dec. 19, 1814	Do.
Do	Mar. 4, 1817	James Monroe.
7. Smith Thompson	Nov. 9, 1818	Do.
Do	Mar. 5, 1821	Do.
8. Samuel L. Southard	Sept. 16, 1823	Do.
Do	Mar. 4, 1825	John Quincy Adams.
9. John Branch	Mar. 9, 1829	Andrew Jackson.
10. Levi Woodbury	May 23, 1831	Do.
Do	Mar. 4, 1833	Do.
11. Mahlon Dickerson	June 30, 1834	Do.
Do	Mar. 4, 1837	Martin Van Buren.
12. James K. Paulding	June 25, 1838	Do.
13. George E. Badger	Mar. 5, 1841	William H. Harrison.
Do	Apr. 6, 1841	John Tyler.
14. Abel P. Upshur	Sept. 13, 1841	Do.
15. David Henshaw	July 24, 1843	Do.
16. Thomas W. Gilmer	Feb. 15, 1844	Do.
17. John Y. Mason	Mar. 14, 1844	Do.
18. George Bancroft	Mar. 10, 1845	James K. Polk.
John Y. Mason	Sept. 9, 1846	Do.
19. William B. Preston	Mar. 8, 1849	Zachary Taylor.
20. William A. Graham	July 22, 1850	Millard Fillmore.
21. John P. Kennedy	July 22, 1852	Do.
22. John C. Dobbin	Mar. 7, 1853	Franklin Pierce.
23. Isaac Toucey	Mar. 6, 1857	James Buchanan.
24. Gideon Welles	Mar. 5, 1861	Abraham Lincoln.
Do	Mar. 4, 1865	Do.
Do	Apr. 15, 1865	Andrew Johnson.
25. Adolph E. Borie	Mar. 5, 1869	Ulysses S. Grant.
26. George M. Robeson	June 25, 1869	Do.
Do	Mar. 17, 1873	Do.
27. Richard W. Thompson	Mar. 12, 1877	Rutherford B. Hayes.
28. Nathan Goff, jr	Jan. 6, 1881	Do.

29.	William H. Hunt	Mar. 5, 1881	James A. Garfield.
30.	William E. Chandler	Apr. 12, 1882	Chester A. Arthur.
31	William C. Whitney	Mar. 6, 1885	Grover Cleveland.
32.	Benjamin F. Tracy	Mar. 5, 1889	Benjamin Harrison.
33.	Hilary A. Herbert	Mar. 6, 1893	Grover Cleveland.

SECRETARIES OF THE INTERIOR.

1.	Thomas Ewing	Mar. 8, 1849	Zachary Taylor.
2.	Alex. H. H. Stuart	Sept. 12, 1850	Millard Fillmore.
3.	Robert McClelland	Mar. 7, 1853	Franklin Pierce.
4.	Jacob Thompson	Mar. 6, 1857	James Buchanan.
5.	Caleb B. Smith	Mar. 5, 1861	Abraham Lincoln.
6.	John P. Usher	Jan. 8, 1863	Do.
	Do.	Mar. 4, 1865	Do.
	Do.	Apr. 15, 1865	Andrew Johnson.
7.	James Harlan	May 15, 1865	Do.
8.	Orville H. Browning	July 27, 1866	Do.
9.	Jacob D. Cox	Mar. 5, 1869	Ulysses S. Grant.
10.	Columbus Delano	Nov. 1, 1870	Do.
	Do.	Mar. 17, 1873	Do.
11.	Zachariah Chandler	Oct. 19, 1875	Do.
12.	Carl Schurz	Mar. 12, 1877	Rutherford B. Hayes.
13.	Samuel J. Kirkwood	Mar. 5, 1881	James A. Garfield.
14.	Henry M. Teller	Apr. 6, 1882	Chester A. Arthur.
15.	Lucius Q. C. Lamar	Mar. 6, 1885	Grover Cleveland.
16.	William F. Vilas	Jan. 16, 1888	Do.
17.	John W. Noble	Mar. 5, 1889	Benjamin Harrison.
18.	Hoke Smith	Mar. 6, 1893	Grover Cleveland.

POSTMASTERS-GENERAL.

1.	Samuel Osgood	Sept. 26, 1789	George Washington.
2.	Timothy Pickering	Aug. 12, 1791	Do.

CABINET OFFICERS, 1789 TO 1896—Continued.

POSTMASTERS-GENERAL—Continued.

Name.	When appointed.	President.
4. Gideon Granger	Nov. 28, 1801	Thomas Jefferson.
Do	Mar. 4, 1805	Do.
Do	Mar. 4, 1809	James Madison.
Do	Mar. 4, 1813	Do.
5. Return J. Meigs, jr	Mar. 17, 1814	Do.
Do	Mar. 4, 1817	James Monroe.
Do	Mar. 5, 1821	Do.
6. John McLean	June 26, 1823	Do.
Do	Mar. 4, 1825	John Quincy Adams.
7. William T. Barry	Mar. 9, 1829	Andrew Jackson.
Do	Mar. 4, 1833	Do.
8. Amos Kendall	May 1, 1835	Do.
Do	Mar. 4, 1837	Martin Van Buren.
9. John M. Niles	May 19, 1840	Do.
10. Francis Granger	Mar. 6, 1841	William H. Harrison.
Do	Apr. 6, 1841	John Tyler.
11. Charles A. Wickliffe	Sept. 13, 1841	Do.
12. Cave Johnson	Mar. 6, 1845	James K. Polk.
13. Jacob Collamer	Mar. 8, 1849	Zachary Taylor.
14. Nathan K. Hall	July 23, 1850	Millard Fillmore.
15. Samuel D. Hubbard	Aug. 31, 1852	Do.
16. James Campbell	Mar. 5, 1853	Franklin Pierce.
17. Aaron V. Brown	Mar. 6, 1857	James Buchanan.
18. Joseph Holt	Mar. 14, 1859	Do.
19. Horatio King	Feb. 12, 1861	Do.
20. Montgomery Blair	Mar. 5, 1861	Abraham Lincoln.
21. William Dennison	Sept. 24, 1864	Do.
Do	Mar. 4, 1865	Do.
Do	Apr. 15, 1865	Andrew Johnson.
22. Alexander W. Randall	July 25, 1866	Do.
23. John A. J. Creswell	Mar. 5, 1869	Ulysses S. Grant.
Do	Mar. 17, 1873	Do.
24. Marshall Jewell	Aug. 24, 1874	Do.
25. James N. Tyner	July 12, 1876	Do.
26. David M. Key	Mar. 12, 1877	Rutherford B. Hayes.
27. Horace Maynard	June 2, 1880	Do.
28. Thomas L. James	Mar. 5, 1881	James A. Garfield.
Do	Oct. 27, 1881	Chester A. Arthur.
29. Timothy O. Howe	Dec. 20, 1881	Do.
30. Walter Q. Gresham	Apr. 3, 1883	Do.
31. Frank Hatton	Oct. 14, 1884	Do.

CABINET OFFICERS, 1789 TO 1896—Continued.

POSTMASTERS-GENERAL—Continued

Name.	When appointed.	President.
32. William F. Vilas	Mar. 6, 1885	Grover Cleveland.
33. Don M. Dickinson	Jan. 16, 1888	Do.
34. John Wanamaker	Mar. 5, 1889	Benjamin Harrison.
35. Wilson S. Bissell	Mar. 6, 1893	Grover Cleveland.
36. William L. Wilson	Mar. 1, 1895	Do.

ATTORNEYS-GENERAL.

1. Edmund Randolph	Sept. 26, 1789	George Washington.
Do	Mar. 4, 1793	Do.
2. William Bradford	Jan. 27, 1794	Do.
3. Charles Lee	Dec. 10, 1795	Do.
Do	Mar. 4, 1797	John Adams.
4. Theophilus Parsons	Feb. 20, 1801	Do.
5. Levi Lincoln	Mar. 5, 1801	Thomas Jefferson.
6. Robert Smith	Mar. 3, 1805	Do.
7. John Breckinridge	Aug. 7, 1805	Do.
8. Cæsar A. Rodney	Jan. 20, 1807	Do.
Do	Mar. 4, 1809	James Madison.
9. William Pinckney	Dec. 11, 1811	Do.
Do	Mar. 4, 1813	Do.
10. Richard Rush	Feb. 10, 1814	Do.
Do	Mar. 4, 1817	James Monroe.
11. William Wirt	Nov. 13, 1817	Do.
Do	Mar. 5, 1821	Do.
Do	Mar. 4, 1825	John Quincy Adams.
12. John M. Berrien	Mar. 9, 1829	Andrew Jackson.
13. Roger B. Taney	July 20, 1831	Do.
Do	Mar. 4, 1833	Do.
14. Benjamin F. Butler	Nov. 15, 1833	Do.
Do	Mar. 4, 1837	Martin Van Buren.
15. Felix Grundy	July 5, 1838	Do.
16. Henry D. Gilpin	Jan. 11, 1840	Do.
17. John J. Crittenden	Mar. 5, 1841	William H. Harrison.
Do	Apr. 6, 1841	John Tyler.
18. Hugh H. Legaré	Sept. 13, 1841	Do.
19. John Nelson	July 1, 1843	Do.
20. John Y. Mason	Mar. 6, 1845	James K. Polk.
21. Nathan Clifford	Oct. 17, 1846	Do.
22. Isaac Toucey	June 21, 1848	Do.

CABINET OFFICERS, 1789 TO 1896—Continued.

ATTORNEYS-GENERAL—Continued.

Name.	When appointed.	President.
23. Reverdy Johnson	Mar. 8, 1849	Zachary Taylor.
24. John J. Crittenden	July 22, 1850	Millard Fillmore.
25. Caleb Cushing	Mar. 7, 1853	Franklin Pierce.
26. Jeremiah S. Black	Mar. 6, 1857	James Buchanan.
27. Edwin M. Stanton	Dec. 20, 1860	Do.
28. Edward Bates	Mar. 5, 1861	Abraham Lincoln.
29. Titian J. Coffey	June 22, 1863	Do.
30. James Speed	Dec. 2, 1864	Do.
Do	Mar. 4, 1865	Do.
Do	Apr. 15, 1865	Andrew Johnson.
31. Henry Stanbery	July 23, 1866	Do.
32. William M. Evarts	July 15, 1868	Do.
33. E. Rockwood Hoar	Mar. 5, 1869	Ulysses S. Grant.
34. Amos T. Ackerman	June 23, 1870	Do.
35. George H. Williams	Dec. 14, 1871	Do.
Do	Mar. 17, 1873	Do.
36. Edwards Pierrepont	Apr. 26, 1875	Do.
37. Alphonso Taft	May 22, 1876	Do.
38. Charles Devens	Mar. 12, 1877	Rutherford B. Hayes.
39. Wayne McVeagh	Mar. 5, 1881	James A. Garfield.
40. Benjamin H. Brewster	Dec. 19, 1881	Chester A. Arthur.
41. Augustus H. Garland	Mar. 6, 1885	Grover Cleveland.
42. William H. H. Miller	Mar. 5, 1889	Benjamin Harrison.
43. Richard Olney	Mar. 6, 1893	Grover Cleveland.
44. Judson Harmon	June 8, 1895	Do.

SECRETARIES OF AGRICULTURE.

1. Norman J. Coleman	Feb. 13, 1889	Grover Cleveland.
2. Jeremiah M. Rusk	Mar. 5, 1889	Benjamin Harrison.
3. Julius Sterling Morton	Mar. 6, 1893	Grover Cleveland.

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[illegible] ..... [illegible]
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[illegible] ..... [illegible]
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